

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39433 of 2016

Arising Out of PS.Case No. -234 Year- 2016 Thana -SONEPUR District- SARAN

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1. Firoj Alam @ Md. Firoj Alam Vakil Mian Resident of Village- Sawalpur
Mian Toli, P.S.- Sonpur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kr. Srivastava

For the Opposite Party/s : Mr. Sri Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 28-10-2016 Heard both sides.

The petitioner apprehends his arrest in Sonpur P.S. Case No. 234/2016, registered for the offences punishable under Sections 399, 402, 414 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act.

The informant raided a place on information that some criminals have assembled and after seeing the police accused persons started to flee away from there. On chase, two persons, namely Raja Mian and Sabir Khan were apprehended and from their possession arms and ammunitions were recovered. The apprehended accused persons disclosed the name of the petitioner and others.

Learned counsel for the petitioner submits that the

petitioner was not apprehended on the spot. Nothing has been recovered from the possession of the petitioner. The petitioner has got enmity with Raja Mian and that is why the petitioner has falsely been implicated in this case. Petitioner is a tailor, but it appears that the apprehended accused persons on the spot itself disclosed the name of the petitioner, as the persons who managed to flee away from there. From the apprehended accused persons arms and ammunities were recovered.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders before the court below within four weeks from the date of receipt/production of a copy of this order and prays for regular bail, his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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