WEB COPY NOT OFFICIAL

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14241 of 2016

Arising Out of PS.Case No. -25 Year- 2015 Thana -KOTHI District- GAYA

==========

1. Asma Khatoon Wife of Late Hafiz Mobin @ Hafiz Mohammad Mobin
2. Md. Rizawan Kuraishi @ Md. Rizawan Son of Late Hafiz Mobin @ Hafiz Mohammad Mobin Both are resident of village - Telwari, P.S. Kothi, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Md. Javed Jafar Khan, Adv.
For the Opposite Party/s : Mr. Shyam Bihari Singh (App)

==========

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

4 27-06-2016 Heard both sides.

The petitioners apprehend their arrest in Kothi P.S. Case No. 25/2015, registered for the offence punishable under Sections 120B, 406, 202 of the Indian Penal Code and Section 25 (1-B)h/35 of Arms Act.

The informant alleged that during election period notices were issued against the petitioners to surrender with the licensee gun. In pursuance of the notice Md. Sultan son of late Hafij Mobin informed that his father died about eight years ago and therefore, he and his family members had no knowledge about that licensee double barrel gun which was in the name of his father.

It is submitted that petitioner no. 1 is the widow of Hafij

Mobin and petitioner no. 2 is one of his son and they had no knowledge about the licensee double barrel gun which was kept by Late Md. Hafij Mobin. Nothing has been recovered from the possession of the petitioners.

It is submitted that the petitioners have no knowledge either about the license or licensee double barrel gun, but the learned A.P.P. vehemently opposed the prayer for bail and submitted that petitioners have very conveniently and knowingly concealed the arms which was in the name of Hafij Mobin.

Considering the facts aforesaid that nothing is recovered from petitioners, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Sherghati at Gaya in connection with Kothi P.S. Case No. 25/15, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

Vinita/-

U		T	