

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10689 of 2017

Arising Out of PS.Case No. -127 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Tabbasum Gulnam @ Tabbusum Gulnaj @ Sabbu @ Sabbo @ Shana Khan
wife of Irfan Alam, Resident of Village - Darhgawa, Police Station Mehsi;
District - East Champaran. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon, Advocate

For the Opposite Party/s : Mr. Smt Renu Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-03-2017 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor, for the State.

The petitioner is languishing in judicial custody
since 18.06.2016 in connection with Turkaulia P.S. Case No.
127 of 2016 for offence alleged under Sections 25(1-B)A 26,35
of the Arms Act.

The prosecution case as alleged by the police
personnel is that the petitioner in her own confessional statement
in another case bearing Turkaulia P.S, Case No. 125 of 2016
while in custody, had confessed about possession of illegal arms
as such a search was made and under the bed in her bedroom,
one country made pistol was recovered. Neither she nor her
husband, Irfan Alam could give any satisfactory reply.

It has been submitted by learned counsel for the



petitioner that the petitioner is innocent and has been falsely implicated in the aforesaid case and is in custody since last more than nine months in the present case. It has further been submitted that charge sheet has already been submitted in this case, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P., for the State, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Pradyumn Kumar, Judicial Magistrate 1st Class, Motihari in connection with Turkaulia P.S, Case No. 127 of 2016, subject to the conditions that the petitioner will appear before the police/ Court on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of her bail bonds.

(Nilu Agrawal, J)

S.Pandey/-

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