

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29479 of 2017

Arising Out of PS.Case No. -67 Year- 2017 Thana -SALKHUA District- SAHARSA

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1. Afshar Alam @ Md. Afshar Ahmad @ Md. Afshar Alam, S/o Sarwar Alam, R/o Laxhminiya, P.S.- Salkhua, O.P.- Banma Ithari, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 05-07-2017

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

Petitioner is languishing in custody for the offences punishable under Sections 307/333/353/393/120B/34 of the Indian Penal Code and Sections 25(1-B)a/26/27/29/35 of the Arms Act.

According to F.I.R. three persons were allegedly chased by the informant police. One of them fired at the police and two fled away. The person who had fired was apprehended with the help of the people nearby. He disclosed the name of the said two persons, who had fled away from there. Name of the petitioner does not appear in that. However, the arrested person further disclosed that he had given Rs.18,000/- to co-accused



Soman Kumar for purchasing a pistol then Soman was arrested and nothing incriminating was recovered from his possession. However, he said that he had to purchase the said pistol from this petitioner.

Submission of the learned counsel for the petitioner is that thereafter the petitioner was apprehended and nothing incriminating was recovered. Therefore, only material against the petitioner is statement of the co-accused before the police.

Considering the aforesaid fact, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa/Successor Court, in connection with Salkhua P.S. Case No.67 of 2017, with condition that petitioner shall fully cooperate with the investigation and trial of the case, failing which the Court-below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioner in this case.

(Birendra Kumar, J)

Mkr./-

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