

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61245 of 2017

Arising Out of PS.Case No. -355 Year- 2017 Thana -TURKAULIYA District- EAST
CHAMPARAN (MOTIHARI)

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1. Nesar Ansari, Son of Anwar Ansari,
2. Amirullah, Son of Late Mukhtar Ansari,
Both residents of Village- Mathwa, P.S.- Turkaulia, District- East
Champaran.

.... Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 22-12-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Turkauliya P.S. Case No. 355 of 2017 registered under
Sections 25(1-B)(a), 26 and 35 of the Arms Act.

It is submitted by the learned counsel for the
petitioners that co-accused Nizamuddin was driving the tractor
on which two cartridges were recovered from the tool box. He
submitted that the petitioner no.2 is the owner of the tractor



whereas petitioner no.1 has got no concern with the said tractor. They have been implicated in this case on the basis of confession made by the accused driver. He contended that the petitioners have got no criminal antecedent and having got roots in the society, they are not likely to abscond or tamper with the evidence.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioners.

Regard being had to the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Turkauliya P.S. Case No. 355 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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