

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16250 of 2017

Arising Out of PS.Case No. -3 Year- 2017 Thana -JAMOBABAZAR District- SIWAN

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1. Rayeesh Alam, Son of Shahban Mian, Resident of Village- Dumra
Harijan Tola, P.S.- Jamoo Bazar, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 07-07-2017 Heard both sides.

The petitioner apprehends his arrest in Jamo Bazar
P.S. case No. 03 of 2017 under Section 414 of the Indian Penal
Code and under Section 25(1-B) A, 26/35 of the Arms Act.

The informant, a police officer, got information that
petitioner and his son had kept illegal arms in their house with
stolen articles. On such information, the police went to raid the
house of petitioner. One person managed to flee away but Md.
Sams Tabrej Alam, son of the petitioner, was apprehended and on
search two country made pistols, stolen motor cycle and laptop
etc. were recovered.

The learned counsel for the petitioner submits that
petitioner was not apprehended on the spot. The petitioner is



working in leather factory at Delhi and he was not present on the date of occurrence in his house. It is further submitted that during the course of investigation the I.O. has not collected any material to show that vehicle was stolen one but from perusal of the case diary, it appears that almost all the witnesses have stated that petitioner after arriving the police managed to flee away and his son was apprehended. From the house of petitioner one Hero Honda motor cycle, arms and ammunitions were recovered.

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

(Prabhat Kumar Jha, J)

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