

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58511 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -BARIYARPUR District- MUNGER

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MD. IKRAM @ MD. EKRAM ALAM S/o Md. Israil, R/o Village-
Beldarchak, P.S.- Rajmahal, District- Sahebganj (Jharkhand).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manendra Kumar Sinha, Advocate.

For the Opposite Party : Smt. Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 25(1-B)a, 25(1-A), 25(1-
AA), 25(1-AC), 26(I)(II), 35 of the Arms Act and 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that during
checking of the vehicle, the informant recovered 160 pieces of
semi-built pistol set, 159 pieces of iron barrel and 750 ML wine
from the vehicle on which Jitendra Kumar Pandit was sitting and
from his pocket one mobile set was also recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the present



case. It is alleged that 160 pieces of semi-built pistol set, 159 pieces of iron barrel and 750 ML wine were recovered from the vehicle in question. The name of the petitioner has come on the basis of confessional statement of co-accused made before police as per F.I.R. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-cum-A.D.J. V, Munger, in connection with Bariyarpur P.S. Case No. 14 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)