

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50546 of 2017

Arising Out of PS.Case No. -85 Year- 2015 Thana -ALAMNAGAR District- MADHEPURA

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1. Mustkim, Son of Petu-U-ddin Ali,
2. Md. Akhtar Ali @ Md. Akhtar, Son of Md. Masid Ali,
Both resident of Village- Sukharghat, P.S.- Alamnagar (Ratwara O.P.),
District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Vinod Shankar Modi, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Alamnagar (Ratwara O.P.) P.S. Case No. 85 of 2015 instituted for the offence under Sections 120(B), 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner has submitted that he is not named in the written report. In the written report there is allegation that co-accused Amrender Singh and Jai Jairam Singh had kept one country made rifle in the fodder house of the informant.

During course of investigation, Amrender Singh in his confessional statement has taken the name of these petitioners.

From the written report itself it appears that there is no recovery of any firearms from possession of these petitioners.

In paragraph-3 of the bail petition it is mentioned that



petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Alamnagar (Ratwara) P.S. Case No. 85 of 2015, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Udakishunganj, Distt. Madhepura, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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