

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70532 of 2018

Arising Out of PS. Case No.-147 Year-2018 Thana- AANDAR District- Siwan

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Ashique Ahmed @ Ashique Mansoori Son of Safik Miaan @ Safik Mansoori
Resident of Village-Firojpur,P.S. Ander,Distt.-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr.Sri Binod Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 20-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Ander P.S. Case No. 147 of 2018 registered
for the offences punishable under Sections 25(1-b)a, 26 and 35
of the Arms Act.

Allegation is recovery of three loaded country
made pistol along with live cartridges with two chuura from the
house of co-accused Golu where petitioner was also present and
was apprehended.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case due to dirty village politics.
Nothing was recovered form the conscious possession of the



petitioner. The said recovery is from the house of Golu @ Md. Jubair Aftab's room. Petitioner has no criminal antecedent and is in custody since 05.08.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IX, Siwan, in connection with Ander P.S. Case No. 147 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers 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 petitioner.

(S. Kumar, J)

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