

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31192 of 2018

Arising Out of PS. Case No.-25 Year-2018 Thana- BHARGAWAN District- Araria

Md. Akhlaque, S/o Md. Jamil @ Hazi Jamil, R/o Village-Durgapur, P.S. Bousi, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 21-05-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Bhargama P.S. Case No. 25 of 2018 registered under Sections 25(1-b)a, 26 of the Arms Act.

Two country made pistol, two live cartridges and half built arms and instrument meant for manufacturing illegal fire arm is said to have been recovered from the house of Manoj Mehta and said Manoj Mehta has named the petitioner as one of purchaser of arms who has given order for purchasing the arms and also paid Rs. 1,000/- in advance.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered



from conscious physical possession of the petitioner. He was not apprehended on the spot. He has no concern with the alleged recovery. He has been falsely implicated in this case by the said Manoj Mehta due to animosity. He has been languishing in custody since 20.02.2018. Similarly situated co-accused, namely, Laxmi Sharma @ Guruji Laxmi Sharma @ Guruji has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 18.05.2018 passed in Cr. Misc. no. 29735 of 2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on 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 Chief Judicial Magistrate, Araria in connection with Bhargama P.S. Case No. 25 of 2018.

(Prakash Chandra Jaiswal, J)

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