

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.225 of 2019

Arising Out of PS. Case No.-241 Year-2018 Thana- PAKARIBARAW District- Nawada

SHAN MALLICK @ NAWAZISH HASSAN ABDAL @ MD. SHAN MALLICK son of late Ibrar Mallick @ Ibrar Hassan, R/o Dostali Bigha, PS- Pakribarawan, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. M/s Amresh Kr. Sinha, Vikramadit and R.T. Singh
For the Respondent/s	:	Sri Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Pakribarawan P.S. Case No. 241 of 2018 registered for offences punishable under sections 25(1-b)a/26 of the Arms Act.

Allegation has been made that the Police arrested the petitioner with the arms, but the mob has surrounded and get him released.

The learned counsel for the petitioner submits that a peculiar story has been made by the police of forcible release of the petitioner inasmuch as the informant has reached to the court after five days of the incident whereas subsequent F.I.R., which



is related to forcible release of the petitioner, has been lodged after three days, so the delay itself creates a doubt by the veracity of the statement.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is rejected. However, if the petitioner surrenders and prays for regular bail, the court below without being prejudiced by this order, will take a decision in accordance with law.

(Shivaji Pandey, J)

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