

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52024 of 2019**

Arising Out of PS. Case No.-125 Year-2019 Thana- BIHPUR District- Bhagalpur

MD. TINKU @ SHEIKH TINKU Son of Sheikh Masrail Resident of Village-  
Sheikh Tola Jhandapur, P.S-Jhandapur, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                                   |
|----------------------|---|-------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Kriswhna Pd. Singh<br>Mr. Bhaskar Shankar<br>Mrs. Meena Singh |
| For the State        | : | Mr. Abhay Kumar Roy                                               |

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2      21-08-2019                      Heard learned counsel for the parties.

This application for anticipatory bail arises out of Bihpur P.S. Case No. 125 of 2019, disclosing offences under Sections 25(1-b) A, 26 and 35 of the Crims Act.

Co-accused Md. Haidar was apprehended by the police, who was found in possession of a loaded country-made pistol and three live cartridges. He was allegedly riding a motor-cycle with a pillion rider. The pillion rider is said to have fled away, when the police was making an attempt to apprehend him. The person apprehended is said to have disclosed the name of the



petitioner as the person who had fled away and, according to the statement of the said co-accused, the petitioner was also carrying arms and ammunition with him.

Learned Senior Counsel, appearing on behalf of the petitioner, has submitted that the allegation against the petitioner is based on the disclosure made by the co-accused and there is absolutely no other material against him. The petitioner has no criminal antecedent, as has been stated in paragraph 3 of the application.

Considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the court below, be released 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 SDJM, Naugachia, Bhagalpur in connection with Bihpur P.S. Case No. 125 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court,



as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

HR/-

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