

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55060 of 2019

Arising Out of PS. Case No.-233 Year-2018 Thana- PARSA District- Saran

Sarfaraj Alam, Son of Reyajudin @ Reyajudin Ansari Resident of Village -
Shankar Dih Parsa, P.S.- Parsa, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 02-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Parsa P.S. Case No.233 of 2018 for the offence punishable
under Sections 399, 401 of the Indian Penal Code and
Section 25(1-b)a/26 of Arms Act.

The allegation against the petitioner, as mentioned in
the FIR is that the police during patrolling intercepted one
person, namely, Manoj Kumar Pathak and recovered one
country-made loaded pistol from his possession. The name of
the petitioner has been disclosed by the arrested co-accused
Manoj Kuamr Pathak before the police.

Mr. Manoj Kumar, learned counsel appearing for the
petitioner submits that petitioner has falsely been implicated in



this case on the basis of statement made by arrested co-accused. Learned counsel further submits that no illegal arm has been recovered from the possession or from the premises belonging to the petitioner and he has not committed any offence in the manner alleged.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that no illegal arm has been recovered from the possession of the petitioner and his name has been disclosed by the arrested accused, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., 13th, Saran at Chapra, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

