

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57603 of 2019

Arising Out of PS. Case No.-361 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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Sarfaraz Khan @ Md. Sarfaraz Khan @ Sarfaraj Khan, Son of Md. Nehal @
Nehal Mian Resident of Village-Raysingha, P.S.-Motihari Muffasil, District-
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Bharat Lal

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 11-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Muffasil P.S. Case no. 361 of 2018, registered under
Section 25(1-b) a, 26, 35 of the Arms Act.

The accusation is that in course of investigation of
Piprakothi P.S. Case No. 110 of 2018, informant and other
Police personnel proceeded for inquiry in respect to Rana
Kumar. When informant reached at Tulsi Chowk, on seeing the
Police three persons started fleeing, but on chase one person
was apprehended, who disclosed his name Rana Kumar and on
search one country made pistol along with two cartridges and
mobile phone were recovered. The apprehended person also



disclosed the name of Nitesh Singh and Sarfaraz Khan (Petitioner) as his associate.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot, rather, his name surfaced on the confessional statement of Rana Kumar, who is said to be apprehended by the Police and country made pistol and cartridge are said to be recovered from his possession. The petitioner has no criminal antecedent except Piprakothi P.S. Case No. 110 of 2018 in which the name of petitioner also surfaced on the confessional statement Rana Kumar.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in connection with Muffasil P.S. Case No. 361 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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