

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62148 of 2019

Arising Out of PS. Case No.-389 Year-2018 Thana- BAIRIYA District- West Champaran

MD. WASIM MIYA S/o Samim Aktar R/o Mohalla- Hospital Road, Ganj No.
2, Ward No. 25, P.S.- Bettiah Town, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-09-2019 This application, for grant of anticipatory bail,

arises out of Bairiya P.S. Case No. 389 of 2018, disclosing

offences under Sections 25(1)(B) (a)/26/35 of the Arms Act.

Prosecution case is that police on secret information
raided the place of occurrence and recovered arms and
ammunition from co-accused, who disclosed the name of
petitioner as the person, who succeeded in fleeing away.

Submission of learned counsel for the petitioner is
that the has no criminal antecedent and has falsely been
implicated in this case and except confessional statement of co-
accused, there is nothing against the petitioner.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts,

this application is disposed of with direction to the petitioner to



surrender in the court below within three weeks, on which, the court below shall release the petitioner on provisional bail for a period of two months, during which, period the court below shall verify the criminal antecedent of the petitioner and if it is found that except this case, petitioner is not an accused in any other case, he will confirm the provisional bail of the petitioner otherwise, he will cancel the provisional bail bonds of the petitioner and direct him to pray for regular bail.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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