

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74718 of 2019

Arising Out of PS. Case No.-417 Year-2019 Thana- ARA NAGAR District- Bhojpur

JAWED @ JAVED ALAM, Son of Noor Alam, Resident of Village -
Ahipurwa, P.S.- Ara Town, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Adv.

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-B)a, 26, 35 of the Arms Act.

The prosecution case is that on the basis of secret information to the effect that the miscreants are preparing to commit dacoity, a raid was laid when three persons were apprehended by the police and on search being made, arms and ammunitions were recovered from their possession.

It is submitted by learned counsel for the petitioner that no recovery has been made from the possession of the petitioner and the name of the petitioner sprang up only on the basis of



confessional statement of co-accused. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner is named in the FIR.

Considering the fact that the name of the petitioner sprang up on the basis of confessional statement of co-accused, no recovery being made from the possession of the petitioner, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 learned CJM, Bhojpur at Ara, in connection with Ara Town P.S. Case No.417 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on filing of the affidavit to the effect that he will co-operate during investigation. The said affidavit will be transmitted to the concerned I.O. Non-cooperation in the



investigation will give liberty to the learned Court below to
cancel the bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

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