

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55816 of 2019**

Arising Out of PS. Case No.-258 Year-2018 Thana- JAMALPUR District- Munger

Md. Firoz @ Fizwa Son of Late Md. Taslim Resident of Village- Mirzapur  
Bardah, P.S.- Muffasil, District- Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      26-02-2020                      Heard learned senior counsel for the petitioner and  
learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Jamalpur P.S. Case No. 258 of 2018 registered for the offence punishable under sections 25(1-A), 25(1-AA), 25(1-B)c, 26 and 35 of the Arms Act, sections 121, 121A, 124A, 379, 419, 120B and 34 of the Indian Penal Code and section 39 of the U.A.P. Act.

As per allegation in the FIR, on receiving information about sale and purchase of illegal arms, a raid was conducted and one accused Md. Imran Alam was arrested. On search of his bag, a number of illegal arms i.e. AK-47 etc. were recovered for which a seizure list was prepared. It is stated that the said Md.



Imran Alam disclosed the name of four other persons, of acting as partner along with him in his illegal deeds.

It is submitted by learned counsel for the petitioner that the petitioner was not named in the FIR and his name has transpired in the confession of one Niyazur Rahman made before the police. Neither the petitioner was arrested at the place of occurrence nor any incriminating article has been recovered from his person or possession. It is stated that he has been falsely implicated in this case only because of a series of other false cases lodged against him in the past.

The application for bail is opposed by learned APP for the State and submits that a number of AK-47 etc. were recovered in the incidence and the main accused Mr. Imran Alam has taken the name of the petitioner. It is further submitted that the petitioner is accused in a number of cases under the Arms Act.

Having heard learned counsel for the parties and taking into consideration the fact that name of the petitioner has transpired in the confession of co-accused made before the police and no recovery is said to have taken place from possession of the petitioner, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the



Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Jamalpur P.S. Case no. 258 of 2018, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Munger subject to the condition as laid down under section 438(2) of the Cr.P.C.

**(Partha Sarthy, J)**

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