

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14280 of 2021

Arising Out of PS. Case No.-251 Year-2020 Thana- KHARHAGPUR District- Munger

MD. MAHBOOB Son of Md. Kitabul Resident of Village - Mirzapur,
Bardhay, P.S. - Mufassil, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of eight weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 25(1-A), 25(1-AA), 25(1-B)a, 26(1)
and 35 of the Arms Act.

The prosecution allegation, in short, is that three
loaded pistols and one cartridge are recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the



present case. There is no recovery of arms from the possession of the petitioner. Arms is said to have been recovered from the possession of co-accused. The name of the petitioner has transpired on the basis of confession of co-accused. Except for this, there is no other substantive evidence to suggest his implication in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -IV, Munger in connection with G.R. No. 1729 of 2020 arising out of Kharagpur (O.P. Shampur) P.S. Case No. 251 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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