

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15110 of 2021**

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

MD.SAHEB @ SAHAB Son of Md. Mansoor, Resident of Village/ Mohalla-
Mirzapur Brdhay, Police Station- 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. Navin Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 15-12-2021 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one
month.

The petitioner apprehends his arrest in connection with
Kharagpur (Shampur) P.S. Case No. 251 of 2020, G.R. No.1729
of 2020 registered for offence punishable under sections 25 (1-
A), 25 (1-AA), 25 (1-B) A, 26 (i), 35 of the Arms Act.

The police raided the place of occurrence on the
confidential information that a mini gun factory was being run.
Three accused persons, namely, Md. Auranzeb, Ashok Bind and
Bajrangi Kumar were apprehended whereas other three became



successful in fleeing away. A number of semi manufactured pistol and other articles for manufacturing the illegal arms were recovered. The apprehended accused persons disclosed the name of the present petitioner.

The learned counsel for the petitioner has submitted that the petitioner is a person of clean antecedent and he has falsely been implicated in this case on the basis of confessional statement of co-accused persons before the police. He has further submitted that neither the petitioner was arrested at the spot nor any incriminating material was recovered from his possession.

On the other hand, the learned Additional Public Prosecutor has opposed the prayer for bail.

Considering the fact that the petitioner has clean antecedent and his name has only been figured on the basis of confessional statement of co-accused, the petitioner above named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Munger in connection with Kharagpur (Shampur) P.S. Case No. 251 of 2020, G.R. No. 1729 of 2020,



subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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