

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9452 of 2021**

Arising Out of PS. Case No.-259 Year-2020 Thana- MAIRWAN District- Siwan

=====

Rustam Ansari Son Of Late Rahman Ansari @ Rahaman Miyan Resident Of  
Village Dharini Chhaper, P.S.- Mairwa, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Pandey  
For the Opposite Party/s : Mr. Ajay Kumar No. 2

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      12-07-2021      Heard learned counsel for the petitioner and learned A.P.P. for  
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the  
defects within four weeks of resumption of normal court proceeding.  
In the eventuality of non-removal of defects within undertaken  
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Mairwa P.S. Case  
No. 259 of 2020 registered for the offence punishable under Sections  
25(1-b)a/26/35 of the Arms Act.

Allegation against the petitioner is that on search country  
made fire arm and cartridge were recovered from the possession of  
the petitioner and other co-accused. They also tried to flee away  
while seeing the informant.

It is submitted by learned counsel for the petitioner that  
petitioner has falsely been implicated in this case and has not



committed any offence as alleged in the FIR. No incriminating article has been recovered from his conscious physical possession. He submits that allegedly a country made pistol (katta) was recovered from the possession of the petitioner but in fact due to altercation with the police during the checking of the vehicle the petitioner has been planted in this case. He further submits that one co-accused has been granted anticipatory bail by court below itself. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent and has been languishing in custody since 27.08.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Mairwa P.S. Case No. 259 of 2020.

**(Anjani Kumar Sharan, J)**

GAURAV S./-

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