

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36565 of 2021

Arising Out of PS. Case No.-208 Year-2020 Thana- CHAUSA District- Madhepura

1. Md. Santjir S/O Md. Sameer R/O Village Paina, P.S-Chausa, District Madhepura
2. Md. Badre Alam S/O Late Md. Akli @ Ishtiyaque R/O Village Paina, P.S-Chausa, District Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-03-2022 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner submits that petitioner no. 1 namely, Md. Santjir has been arrested and as such application of petitioner no. 1 become infructuous.

Accordingly, bail prayer of the petitioner no. 1 is dismissed as withdrawn.

Petitioner is apprehending his arrest in a case registered in connection with Chousa P.S.Case No. 208 of 2020 for the offences punishable under Sections 25(1AA) 25(1-b) 26,35 of the Arms Act.

As per allegation in the F.I.R, a mini gun factory



run in the house of Md. Nakir. The co-accused persons were arrested with illegal semi formed arm and ammunition in the house. The co-accused has disclosed the involvement of the petitioners.

Learned counsel for the petitioner submits petitioner no.2 has been transpired in the confessional statement of co-accused Gurfan. Petitioner has not caught on the spot. No incrimination article has been recovered from possession of the petitioner no. 2.

Learned Additional Public Prosecutor opposed the bail prayer of the petitioner and submits that he has one criminal antecedent which is mentioned in Para-3 of the petition.

Considering the facts and circumstance of the case as well as submission of the parties, let the petitioner in the event of his arrest or surrender before the Court Below within a period of four 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 Sub-Divisional Judicial Magistrate- Udakishunganj, Madhepura in connection with



Chousa P.S Case No. 208 of 2020 subject to the conditions
as laid down under Section 438(2) of the Cr.P.C

(Sunil Kumar Panwar, J)

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