

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35207 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- KUDHNI District- Muzaffarpur

1. MD FIROZ S/o- Md. Salauddin @ Md. Salamuddin Resident of Village- Chakmojahid, P.S.- Mahua, P.S.- Mahua, District- Vaishali.
2. Md. Salauddin @ Md. Salamuddin S/o Late Phool Mohammad Resident of Village- Chakmojahid, P.S.- Mahua, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahesh Prasad, Advocate
For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 399, 402, 414 and 34 of the Indian Penal Code read with Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent, petitioner no.2 is aged about 70 years and the informant alleges that the named accused persons were apprehended with loaded pistol and motorcycle who disclosed that they sell stolen cattle to petitioners.

Learned counsel for the petitioners submits that petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and their name



transpired in the confessional statement of apprehended accused in police custody which does not have any evidentiary value, it is also submitted that petitioner no.2 is aged about 70 years and till the age of 70 years he was a person with clean antecedent and all of a sudden, he has been made a criminal based on the confessional statement.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kudhani/Turki O.P. P.S. Case No. 03 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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