

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21500 of 2023

Arising Out of PS. Case No.-451 Year-2022 Thana- MUNGER MUFFASIL District- Munger

MD. JAVED S/O TASLIM Resident of Village- Mirjapur Bardah,P.S.-
Muffasil, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 25(1-A), 25(1-AA), 25(1-b)a, 26 (i) (ii) and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of three cartridges from the bag of Md. Mofid along with other articles as detailed in the FIR.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the confessional statement of Md. Mofid in police custody which does not have any evidentiary value. It is



next submitted that petitioner was falsely implicated at the instance of police because of his antecedents. Learned counsel submits that petitioner will not abscond rather will cooperate in the investigation and will present himself as and when required by the Investigating Officer of the case for eliciting the truth.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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. 20,000/- (Rupees Twenty Thousand) 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 Muffasil P.S. Case No. 451 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. with a further condition that one of the bailors of the petitioner shall be his father, Taslim.

However, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself



when called by the Investigating Officer, then the learned trial court shall be at liberty to cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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