

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24785 of 2023

Arising Out of PS. Case No.-60 Year-2023 Thana- KAHALGAON District- Bhagalpur

MD. NIRAJ ANSARI @ MD. MIRAJ ANSARI Son of Siraj Ansari @ Md. Siraj Ansari Resident of Mohalla-Hazratganj, P.S.-Kasim Bazar, District-Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Nurul Hoda

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 25(1-b)a, 25 (1-AA),25(1-A), 26 (1)(2) and 35 of the Arms Act.

As per allegation in the FIR, on getting secret information, police party proceeded towards place of occurrence and apprehended four accused persons including the petitioner. And on search, semi prepared arms, prepared arms and manufacturing machines, were recovered from the house of Sonu Kumar @ Prem Raj.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to



dirty village politics. The alleged recovery has been made from the house of co-accused Prem Raj and not from the conscious possession of the petitioner or from his house. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 16.01.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhagalpur in connection with Kahalgaon P.S. Case No. 60 of 2023.

(Sunil Kumar Panwar, J)

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