

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24789 of 2023

Arising Out of PS. Case No.-1000 Year-2022 Thana- NATHNAGAR District- Bhagalpur

MD. FAISAL S/O MD. SAMIM @ SAMIULLAH @ SAMULLAH
MUNGERIA Resident of Village- Hakim Sah Lane Champanagar, P.S.-
Nathnagar, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Nikesh, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-07-2023 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-B)a/25(1-AA)/25(1-A)/26(1)(2) and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that Sanjay and Guddu were arrested with arms as detailed in the F.I.R. and they disclosed that they had purchased the arms from the petitioner.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that he came to be implicated based on



confessional statement of co-accused in police custody which does not have any evidentiary value. It is next submitted that even arms were recovered from Sanjay and Guddu and petitioner is aged about 46 years and has remained a person with clean antecedent prior to institution of the present F.I.R. It is further submitted that petitioner will not abscond rather will co-operate 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Nathnagar P.S. Case No. 1000 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, in the event if the Investigating Officer of



the case files an application before the learned Trial Court bringing to its notice that the petitioner despite giving assurance to this Court is not co-operating or not presenting herself as and when called for, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

Let a copy of this order be also sent to the concerned Police Station through the learned Trial Court.

(Satyavrat Verma, J)

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