

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40973 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- DARAUNDA District- Siwan

WAHID MIYAN @ OHID ANSARI Son of Ali Husain Resident of Village -
Kurmi Tola, P.S.- Darauli, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 04-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b)a, 26 of the Arms Act.

3. The informant alleges that one country made pistol and knife was recovered from the possession of Niraj Yadav, thereafter, Manish was also checked and from his possession one rod was recovered and one screw driver like object from Lakhan.

4. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.

5. 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 confessional statement of Niraj in police custody which does not have any evidentiary value when petitioner, admittedly, is a person with clean antecedent.

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

7. 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. 20,000/- (Rupees Twenty 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 Daraunda (M.H. Nagar) P.S. Case No. 13 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. One of the bailor of the petitioner shall be his father Ali Husain.

(Satyavrat Verma, J)

HarshPandey/-

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