

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71687 of 2022

Arising Out of PS. Case No.-128 Year-2022 Thana- PRANPUR District- Katihar

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Md. Jiyaul Son Of Md. Rafik R/V- Siranda, P.S- Pranpur, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-05-2023 Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

The accused/petitioner is not named in the F.I.R. and apprehending his arrest in connection with Pranpur P.S. Case No.128 of 2022 registered for the offences punishable under Section 25(1-B)A/26 of the Arms Act.

The allegation against the petitioner is to found in association of co-accused persons, who alleged to be found in



possession of one country-made pistol.

Learned counsel appearing on behalf of the petitioner submitted that alleged country-made pistol was recovered from co-accused, namely Md. Hakim @ Hakma, who not even named this petitioner. It is submitted that during the course of investigation on the basis of suspicion arising out of local enmities one co-accused Rahul, was arrested, who named this petitioner. It is submitted that admittedly no arms was recovered from the possession of co-accused, Rahul. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above and taking note of the fact that co-accused failed to name this petitioner, from whom country made pistol was alleged to be recovered, accordingly, the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Katihar



/concerned Court below where the case is pending in connection
with Pranpur P.S. Case No.128 of 2022 subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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