

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79561 of 2023

Arising Out of PS. Case No.-178 Year-2023 Thana- RAJNAGAR District- Madhubani

Md. Sonu Sonof Md. Akhtar R/O Village- Gausnager, P.S.- Rajnager, Dist.- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 79744 of 2023

Arising Out of PS. Case No.-178 Year-2023 Thana- RAJNAGAR District- Madhubani

Md. Afjal @ Md. Afjal Ali Son Of Md. Ali @ Ahmad Ali @ Md. Ahmad Ali Village- Gausnager Ps- Rajnager Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 79561 of 2023)

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Md. Shakir Ahmad

(In CRIMINAL MISCELLANEOUS No. 79744 of 2023)

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-12-2023 As both these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

2. Heard learned counsel for the petitioners and learned A.P.P. for the State.



3. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 25(1-b)a/26 of the Arms Act.

4. As per the prosecution case, on the secret information, the informant reached at the garage of Md. Irfan and recovered country made pistol which was wrapped in the black foil and one misfired cartridge was also recovered.

5. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the alleged recovery has been made from the garage of Md. Irfan and the police has roped the petitioners in collusion of the Md. Irfan and he has not been made an accused. He further submits that no incriminating articles has been recovered from the possessions of the petitioners. Petitioners have two criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State opposes prayer for anticipatory bail.

7. Having regard to the facts and circumstances of the case and the fact that the owner of the garage, Md. Irfan has not been made accused in the present case, let the above named



petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Rajnagar P.S. Case No.178 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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