

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9911 of 2024

Arising Out of PS. Case No.-223 Year-2023 Thana- MANSI District- Khagaria

MD. SAUD SONOF FAKRUDDIN @ FAKKO R/O-GULERIYA, P.S.-
CHAUTHAM, DISTT.-KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Singh, Adv.

For the Opposite Party/s : Mr.Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Mansi P.S. Case No. 223 of 2023 dated 30.07.2023 registered for the offence/s punishable u/ss 25(1-B)a, 25(i)a, 26(1)(2), 35 of the Arms Act.

3. As per the prosecution case, total 17 country made pistols, 2 Desi Kattas, 18 magazines, two cartridges, one half made pistol and other incriminating articles were recovered from the room of the co-accused, Tanwar and the said arms were being supplied to the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. Nothing has been recovered from the conscious possession of the petitioner. As per seizure list, the said recovery was made from the *Bathan* of the Md. Shamim which is an open place accessible to anyone. The petitioner has one more criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Khagaria in connection with Mansi P.S. Case No. 223 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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