

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17401 of 2024

Arising Out of PS. Case No.-267 Year-2023 Thana- JADIA District- Supaul

Sarif Alam @ Md Sharif Alam Son f Late Mahmood Alam @ Md Mahmood Alam Resident Of Village- Marampur Ward No. 15, Ps- Jadiya, Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Ziaul Quamar, Adv
For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-03-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Jadiya P.S Case No. 267 of 2023 dated 25.10.2023 registered for the offence punishable u/s 25 (1B)a/25(1A)/25(1AA)/26/35 of the Indian Penal Code.

4. As per the prosecution case, a raid was conducted at the house of the co-accused *Arshe Alam* and from the basement of his house lath machine and miling machine were found in running condition and four semi manufactured pistol of 7.65



mm and four barrel of pistol were recovered. From the north side of his house under the Tin-shed 16 semi manufactured pistol of 7.65 mm and 16 semi manufactured barrel of pistol were also recovered. Further, one country made pistol, 12 live cartridges, one loaded pistol and 7 live cartridges were also recovered from the bed room of the co-accused.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has transpired in this case due to previous disputes between the co-accused *Arshe Alam* and the petitioner. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. 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 anticipatory 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, Supaul, in connection with Jadiya P.S Case No. 267 of 2023,



subject to conditions as laid down under section 438(2) of the
Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

U
T

U		T	
---	--	---	--

