

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19470 of 2024

Arising Out of PS. Case No.-176 Year-2023 Thana- NATIONAL HIGHWAY District-
Samastipur

MD. ARMAN S/O MR. MD. SAMIM R/O VILLAGE- GADOPUR, P.S-
N.H. BANGRA, DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh, Advocate
For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-04-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 25(1-b), 26 of the Arms Act.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of one case and has been falsely
implicated in the instant case by the informant based on
confessional statement of Md. Arju in police custody which
does not have any evidentiary value. It is further submitted that
the informant alleges that he received an information that a
person is roaming carrying illegal firearm, accordingly he
reached the place of occurrence and apprehended the accused
who disclosed his name as Md. Arju, who further disclosed that



he along with his three associates including the petitioner had committed loot and also that he gave his firearm on rent to them. Further based on the disclosure made by Md. Arju one looted motorcycle was recovered from the house of Md. Naushad. It is thus submitted that apart from confession nothing has come which could even remotely connect the petitioner with the offence.

4. At this stage, the learned APP submits that petitioner has antecedent of one case under Section 392 of the IPC on which the learned counsel for the petitioner submits that the petitioner will not abscond rather will cooperate in the investigation.

5. The learned APP opposes the anticipatory bail application.

6. 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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Samastipur in connection with N.H. Bangra P.S. Case



No.176 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with further condition that one of the bailor of the petitioner shall be his father, namely, Md. Samim.

7. It is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself as and when required, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner forthwith and to take all coercive steps to ensure that petitioner is behind bar.

8. The application stands allowed.

9. Let a copy of this order be sent to the concerned P.S. through the learned Trial court.

(Satyavrat Verma, J)

Prakash Narayan

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