

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32966 of 2024**

Arising Out of PS. Case No.-935 Year-2023 Thana- ARARIA District- Araria

Md. Ashraf @ Md. Asraf Son of Ali Mohammad Resident of Village- Dimia,
Ward No. 4, Gairah, P.S.- Jalalgarh, Dist.- Purnia

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Naushaduzzoha, Adv.

For the Opposite Party/s : Mrs.Meena Singh, APP

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

ORAL ORDER

2 23-05-2024 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 Araria (Nagar) P.S. Case No. 935 of 2023 dated 18.09.2023 registered for the offences punishable u/ss 399 and 402 of the Indian Penal Code and u/ss 25(1-b)a/26/35 of the Arms Act.

3. As per the prosecution case, the informant along with other police saw that three miscreants were making preparation to commit crime. Police apprehended one miscreant and on search, a country made pistol, one live cartridge and a mobile phone were recovered. The apprehended person disclosed the name of the petitioner and the other co-accused persons.

4. Learned counsel for the petitioner has submitted



that the petitioner has falsely been implicated in this case. The name of the petitioner has sprung up in the confessional statement of the co-accused, Md. Khalid. No incriminating article has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. The petitioner has two criminal antecedents 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, Araria in connection with Araria (Nagar) P.S. Case No. 935 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)

Gautam/-

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

