

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38190 of 2024

Arising Out of PS. Case No.-720 Year-2023 Thana- FORBESGANJ District- Araria

MD. DILAVAR @ MD. DILABAR ANSARI SON OF NURMUHAMMAD
Resident of Ward No. 20, Birban Cowkee Near Masjid, Police Station -
Forbesganj, District - Araria, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Ravish

For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-08-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Forbesganj Police Station Case No. 720 of 2023,
dated 04.08.2023, disclosing offences punishable under Sections
25 (1-b)a/26/35 of the Arms Act.

3. The prosecution case, as per the First Information
Report lodged by the Station House Officer of Forbesganj
Police Station, is that on 04.08.2023, he got information that
some persons have assembled near Miahath Hawaii field gate and
were planning to deal in the illegal fire arms. Upon this
information, the police proceeded towards the place of
occurrence and saw that on three motorcycles, six persons were



there and were talking amongst themselves. Upon seeing the police party, they started fleeing away. The police arrested two persons, who disclosed their names as Sahnawaj, son of Md. Salim, and Sahnawaj, son of Md. Salauddin. Upon search, the police recovered one old country-made pistol from the possession of co-accused Sahnawaj, son of Md. Salim. The arrested co-accused persons disclosed the name of the petitioner and others as the persons who fled away from the place of occurrence.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of disclosure of his name by the arrested co-accused persons. He further submits that the petitioner is not having any criminal antecedent. One unloaded country- made pistol has been recovered from the possession of the arrested co-accused Sahnawaj, son of Md. Salim, and, that too, was very old.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioner is not having any criminal antecedent and an old unloaded country-made pistol has been recovered from the possession of the arrested co-accused Sahnawaj, son of Md. Salim, I am inclined to grant the petitioner privilege of



anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Forbesganj Police Station Case No. 720 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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