

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41838 of 2024

Arising Out of PS. Case No.-295 Year-2023 Thana- BARGAINIA District- Sitamarhi

MD. RIJWAN MANSOORI @ MD. RIJAWAN MANSURI @ RIJWAN
SON OF MOHD. SAGIR MANSURI @ SAGIR MANSURI RESIDENT OF
VILLAGE - LOHARI TOLA, HAL CHAKWA PUNARWAAS, WARD NO.
7, P.S. - BAIRGANIA, DISTRICT - SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Bairgania P.S. case No. 295 of 2023 instituted for the
offences under Sections 399, 402 of the Indian Penal Code and
Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the F.I.R., police on the basis of secret
information apprehended two persons and recovered arms and



ammunitions. The apprehended persons disclosed the names of other accused persons including the name of the petitioner.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner has transpired in this case merely on the basis of the confessional statements of the co-accused persons who were apprehended on the spot. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions nor any incriminating article has been recovered from his conscious possession. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bairgania P.S. case No. 295 of 2023, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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