

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43421 of 2024

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

-
1. Zikrullah Alam @ Md. Zikrullah Son Of Noor Alam Village- Moharrampur, P.S.- Jadia, Distt.- Supaul
 2. Chipiya Alam @ Zakiullah @ Md. Zakiullah Son Of Noor Alam Village- Moharrampur, P.S.- Jadia, Distt.- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Majid Mahboob Khan, Advocate
For the Opposite Party/s : Mr.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners submits that the petitioner no. 2 has been arrested. Accordingly, he seeks permission to withdraw the present application.

3. Permission is accorded.

4. Accordingly, the present application of the petitioner no. 2 is dismissed as withdrawn.

5. The petitioner No. 1 is apprehending his arrest in connection with Jadiya P.S Case No. 267 of 2023 dated 26.10.2023 registered for the offence punishable u/s 25(1B)a,



25(1A), 25(1AA), 26, 35 of the Indian Penal Code.

6. 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.

7. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused person has already been granted bail by this court *vide* order dated 07.03.2024 passed in Cr. Misc. No. 17401/2024. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

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

9. 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.

10. The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

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

