

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56106 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- MITHANPURA District- Muzaffarpur

Md. Ashfaque @ Md. Asfak Son Of Md. Sakil @ Md. Shakeel Village-
Islampur Lakshmi Narayan Road, Near Ray Market Lane, Ps- Town, Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-09-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Section 414 of the Indian Penal Code, Section 25(1-b)a, 26, 35 of Arms Act and Section 30 (a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, on 4.3.24 while informant, along with police officials, was on patrolling duty, two miscreants riding a motorcycle were apprehended and on search, arms and ammunition were recovered and who disclosed that this petitioner fled away from the place of occurrence after seeing the police.

4. Learned counsel for the petitioner submits that petitioner has been made accused on the basis of confessional



statement of co-accused who was apprehended on the spot. No arms and ammunition has been recovered from possession of the petitioner. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged 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 Exclusive Excise Court No. III, Muzaffarpur in connection with Mithanpura P. S. Case No. 78 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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