

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72892 of 2023

Arising Out of PS. Case No.-263 Year-2020 Thana- KASIMBAZAR District- Munger

Md. Salauddin @ Md. Salmuddin, (aged about 45 years, Male), Son of Gagan Miya @ Md. Jainul Aabeddin, Resident of Village -Ghorghat, P.S.- Sultanganj, Distt- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sadanand Paswan, Advocate
For the Opposite Party : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 22-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Kasim Bazar P.S. Case No. 263 of 2020 dated 25.09.2020 registered for the offences punishable under Sections 25(1-A), 25(1-AA), 25(1-b)a, 26(i)(ii) and 35 of the Arms Act.

4. As per the prosecution case, four miscreants were arrested and 17 countrymade weapons as well as



cartridges were recovered from their possession. The apprehended persons disclosed the name of the petitioner as manufacturer of illegal arms.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is an active member of J.D.(U) party and also a Block Chairman of Minority Committee of Sultanganj. A Title Suit No. 522 of 2018 is going on with his agnate Md. Siraj and Md. Siraj is a veteran criminal and he in collusion with the police, implicated the petitioner in the present case. The wife of the petitioner gave an application to the D.I.G., Munger, stating all the facts. No incriminating article has been recovered from the possession of the petitioner. It is further submitted that during investigation, no local person has supported the prosecution case except the police personnel who were the members of the raiding party. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail application.

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



7. 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/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Munger, in connection with Kasim Bazar P.S. Case No. 263 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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