

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82280 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- BARAHAT District- Banka

1. Md. Salim Son of Late Abdul Hanan Resident of Mistripara Purana Station, Police Station- Aasansol North, District- West Vardhaman (West Bengal)
2. Md. Aadil @ Md. Adil Son of Md. Ukil Resident of Chanmari Quarter Aasansol, Police Station- Aasansol North, District- West Vardhaman (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 25(1-AA), 25(1-b)a, 26/35 of the Arms Act.

3. Allegedly, on search, five country made pistols, ten empty magazine and two mobile phones have been recovered from the seized vehicles.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. They have falsely been implicated in this case due to ulterior



motive. The allegation levelled against the petitioners is totally false and based on concocted facts. They were not apprehended on the spot. Their names have been transpired in the present case merely because they are the owners of the seized vehicles. It is further submitted that both the seized vehicles are commercial vehicles and at the time of seizure, both the vehicles were under the control of respective drivers, who were apprehended on the spot. Petitioners have no concern either with the seized arms and ammunition or any illegal trade. They have been made accused in the present case being the owner of the seized vehicles without any complicity having being disclosed by the apprehended drivers of the respective vehicles. Learned counsel further submits that petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners and they have no criminal antecedent, the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the



like amount each to the satisfaction of the learned lower Court
where the case is pending/successor Court in connection with
Barahat P.S. Case No.81 of 2024, subject to the condition as laid
down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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