

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87134 of 2024

Arising Out of PS. Case No.-228 Year-2024 Thana- RIVILGANJ District- Saran

Md. Arif @ Ghurghuri S/o Mahammad Gaphur @ Md. Sakur R/o Village-
Jigna Tivari Tola, P.O. and P.S.- Revelganj, District- Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 317(4), 318(4), 338, 336(3) of the B.N.S. and Section 25 (1-b)a, 26 and 35 of the Arms Act.

3. As per FIR, the police arrested two persons from which one knife, two live cartridges of 8mm KF, one I phone 13 mobile, one country made katta were recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner has been made accused in this case on the basis of confessional statement of co-accused Ajeet Kumar before the police which has no evidentiary value in the eye of law. He submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of



the bail application.

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

6. Considering the facts and circumstances of the case and the fact that the petitioner has been made accused in this case on the basis of confessional statement of co-accused and he has no criminal antecedent, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Revelganj P.S. Case No. 228 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

7. However, the learned court below shall accept the bail bonds of the petitioner after verifying the fact that the petitioner has got no criminal antecedent prior to this incident.

(Anjani Kumar Sharan, J)

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