

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2106 of 2024

Arising Out of PS. Case No.-66 Year-2023 Thana- DHANAHAN District- West Champaran

Noor Alam S/O Late Feku Ansari Village Shekhtoliya P.S- Parauna Kotwali,
District - Kushinagar Up

... .. Petitioner/S

Versus

State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raki Alam, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-02-2024 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 offences punishable u/s 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, two persons were coming towards Uttar Pradesh when police chased, one accused succeeded to flee away but one accused Taiyab Ansari was arrested on the spot, in the checking one country made pistol loaded with two cartridge was recovered from his possession who told that the same was given by the petitioner to him.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The name of the petitioner has been disclosed by the co-accused namely Taiyab Ansari. The petitioner has been named in the present



case due to previous enmity. The petitioner is not named in the FIR and nothing incriminating article has been recovered from the conscious possession of the petitioner. There is general and omnibus allegation levelled against the petitioner. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances as well as there is no specific overt act against the petitioner, 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, Champaran in connection with Dhanaha P.S. Case No. 66 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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