

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86426 of 2023

Arising Out of PS. Case No.-280 Year-2023 Thana- PAKARIBARAW District- Nawada

Md. Allauddin Ansari @ Alauddin @ Mohammad Alauddin Ansari S/O-
Badrudin Ansari R/O- Moglakhar, Ps- Bundelkhand, Dist.- Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Pakaribarawan P.S. Case No.280 of 2023 registered for the offences punishable under Sections 25(1-b) a, 26 of the Arms Act. The petitioner has got two criminal antecedents and in both the cases he is said to be on bail.

3. As per the prosecution story, one country made pistol with four live cartridges were recovered from the house of co-accused Kundan Chauhan.

4. Learned counsel for the petitioner submits that the name of the petitioner has transpired in the statement of the apprehended accused Kundan Chauhan from whose possession



one country made pistol with four live cartridges were recovered. The said Kundan Chauhan has allegedly made a statement that he had purchased this pistol from this petitioner.

5. Learned counsel submits that the petitioner is an elected ward councillor of ward no.25 of Nagar Parishad, Nawada and he has a number of political enemy and rivals. It is a case of false implication and it has been instituted due to political rival for Tazia Julus.

6. Learned counsel submits that the petitioner is ready to abide by such terms and conditions which may be imposed by this Court for purpose of grant of anticipatory bail.

7. Learned A.P.P. for the State has though opposed the prayer for anticipatory bail of the petitioner, but considering the facts and circumstances of the case, the only material coming against the petitioner is the statement of the co-accused in police custody and petitioner being an elected ward councillor of the area his submission is that it may be a case of false implication which is required to be investigated, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of



learned J.M.- 1st Class, Nawada in connection with Pakaribarawan P.S. Case No. 280 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. And further condition that the petitioner shall appear before the I.O. of the case within two weeks from today and cooperate in course of investigation.

10. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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