

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4584 of 2025

Arising Out of PS. Case No.-176 Year-2024 Thana- PRATAPGANJ District- Supaul

Md. Anwarul @ Chand @ Md. Chand @ Md. Anwarul Chand S/O Md. Noor Alam @ Noor Alam R/O Village- Islampur, (Bhawanipur) Ward No.1, P.S- Pratapganj, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 28-04-2025 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Pratapganj P.S. Case No. 176 of 2024 instituted for the offences under Sections 310(4), 310(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25(1-b)a, 26, 35 of the Arms Act

3. Prosecution case, in short, is that, police, on the basis of secret information that some miscreants have assembled at the spot to commit crime, raided the place. Seeing the police party, all the accused persons tried to flee away but four accused persons were apprehended and one motorcycle as also one loaded country-made pistol was recovered.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of disclosure made by the apprehended co-accused person namely Rahul Kumar. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions as also with the motorcycle. Learned counsel further submitted that T.I.P. has not been conducted till date. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.11.2024 and has two criminal antecedents.

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

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pratapganj P.S. Case No. 176 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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