

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12759 of 2025

Arising Out of PS. Case No.-602 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Md. Ishque Alam @ Rajan S/o- Md. Murshid R/V- Dariyapur Bakarpur PS-
Mufassil Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priyanka Singh, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-02-2025 Heard Ms. Priyanka Singh, learned counsel for the
petitioner and Mr. Mohammed Arif, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Town P.S. Case No. 602 of 2022, F.I.R. dated 29.09.2022 registered for the offences punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. The case relates to recovery of three country made pistols, along with three magazines.

4. Learned counsel for the petitioner submits that the petitioner having clean antecedent and he has been falsely implicated in the present case on the basis of disclosure made by co-accused person namely Deepak Kumar. He further submits that it appears from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the



petitioner rather recovery has been made from the possession of co-accused person namely Deepak Kumar and co-accused Deepak Kumar has disclosed that he purchased the recovered arms and ammunitions from Mobile No. 6201021644 and on the basis of mobile phone the petitioner has been implicated in the present case. Learned counsel for the petitioner submits that except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the name of the petitioner has come on the basis of disclosure made by co-accused person, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Town P.S. Case No. 602 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) 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.

(Rajesh Kumar Verma, J)

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