

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13477 of 2025

Arising Out of PS. Case No.-577 Year-2024 Thana- MUFFASIL District- West Champaran

Saheb Aalam S/O Ayub Miyan R/O Village- Bakhariya, P.S- Majhauriya,
Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs.Bharti Rai, Adv.
		Mr. Sanjeev Kumar, Adv.
For the Opposite Party/s :		Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-03-2025 Heard Learned Counsel for the petitioner and

Learned APP for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends his arrest in connection with Bettiah Muffasil P.S. Case No.577 of 2024 lodged on 25.10.2024, for the offences punishable under Sections 25(1-B)a/26 of the Arms Act.

3. As per the prosecution, the F.I.R. has been lodged against 4 named accused persons including the petitioner in which two persons were apprehended and two were fled away from the place of occurrence with allegation that recovery of one country-made pistol and two live cartridges were made.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner has been falsely implicated in the



present case. Nothing has been recovered from the possession of the petitioner rather the said recovery has been made from the co-accused person. He further submits that on the confessional statement of apprehended persons, the petitioner's name has been dragged in this case.

5. Counsel submits that the criminal antecedent of the petitioner is clean. He further submits that no offence has been made under Arms Act as there is no recovery made in this case.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is clean.

7. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of C.J.M., Bettiah, West Champaran in connection with Bettiah Muffasil P.S. Case No.577 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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