

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87502 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- Paura District- Khagaria

Mehraj Alam @ Md. Mehraj Alam S/o- Md. Saheb Uddin Res of village-
Thuthi Mohanpur PS- Choutham District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. Allegedly, during checking of vehicles at Paura Bandh on 28.02.2024 at about 02:15 A.M., a scorpio was signaled to stop, but seeing the police party, a man sitting in the vehicle as well as the driver managed to flee away taking advantage of darkness, whereas co-accused Shobhan Sah was apprehended on the spot. On search, one country made pistol loaded with a live cartridge and 09 live cartridges have been recovered from the seized Scorpio.

4. It is submitted by learned counsel for the petitioner



that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. He is not named in the FIR. On the alleged date and time, petitioner was not driving the alleged vehicle. The driver, who drove the vehicle on the alleged date, succeeded in fleeing away. It is further submitted that nothing has been recovered either from the possession of the petitioner or from his house. There is no independent witness in the present case. Learned counsel further submits that there is nothing on record to indicate the complicity of the petitioner and he has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since nothing has been recovered either from the possession of the petitioner or from his house, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like



amount each to the satisfaction of the learned Court below
where the case is pending/successor Court in connection with
Paura P.S. Case No. 01 of 2024, subject to the condition as laid
down under Section 482 (2) of the B.N.S.S., 2023.

(Anjani Kumar Sharan, J)

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