

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29608 of 2014

Arising Out of PS.Case No. -93 Year- 2012 Thana -NAYA RAM NAGAR District- MUNGER

1. Bikash Kumar Son of Kailash Tanti Resident of Village - Muzaffarganj,
P.S.- Kharagpur, District - Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Indra Kr. Singh (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 13-01-2015 Heard the parties.

This is an application for anticipatory bail for the offence punishable under sections 414 of the I.P.C, sections 10 and 13 of U.A.P.Act and sections 25 (1-AA), 25 (1-AAA), and 26 (2) 35 of the Arms Act.

Allegedly the police party intercepted one vehicle then three persons started fleeing away but on chase two persons were caught who disclosed their names as Dilip Kumar and Vithal Kumar and they also disclosed the name of the person who has managed to flee away and fire arms and ammunities were recovered from possession of the arrested person and they also confessed that they were carrying arms and ammunities for Maoist.

Submission is that petitioner was not arrested at the spot and nothing has been recovered either from his house or from his conscious possession.

The informant in this case has himself been made accused in

Bhagalpur Kotwali P.S. Case No. 472 of 2012 on the allegation of Dr. Majhar Akhtar Shakil and as such the petitioner deserves sympathetic consideration. The learned A.P.P. opposes prayer for bail.

Considering that the name of the petitioner has come in the confessional statement of co-accused made before police and nothing has been recovered from the conscious possession of the petitioner or from his house and as such, in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Munger in Naya Ram Nagar P.S. Case No. 93 of 2012, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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