

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20829 of 2015

Arising Out of PS.Case No. -316 Year- 2014 Thana -GOPALGANJ CITY District- GOPALGANJ

1. Munna Kumar @ Vikash Singh, son of Binda Awadhia Resident of Village- Naya Tola Rajokhar, P.S. Gopalganj District- Gopalganj.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Harendra Prasad
For the Opposite Party : Mr. S.N.Shukla (App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 07-07-2015

Heard both sides.

The petitioner apprehends his arrest in connection with Gopalganj Nagar P.S. case no. 316 of 2014, registered under Sections 25(1-B)a, 26 and 35 of the Arms Acts.

The informant being the police office has alleged that the father of the petitioner being the known criminal was to be apprehended when the police party went to the village two persons who were sitting on a pulia started firing and throwing bombs. On chase both of them were arrested. Petitioner is not one amongst them.

It is alleged that one of them disclosed the name of the petitioner as his associate. Recovery of fire arms were made from the person of those two arrested. It is submitted that the petitioner is a student. His father may be a known criminal but is not. Only on the confessional statement of one of the co-accuseds

he has been named in the case.

In the facts and circumstances of the case, this Court is inclined to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, 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 the learned C.J.M. Gopalganj, in connection with Gopalganj Nagar P.S. case no. 316 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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