

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51497 of 2014

Arising Out of PS.Case No. -63 Year- 2013 Thana -GAMAHARIYA District- MADHEPURA

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1. Anar Devi wife of Sri Saryug Yadav
2. Saryug Yadav Son of Late Tofi Yadav Both are resident of village -
Jiwachhpur, P.S. Gamharia, District – Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha

For the Opposite Party/s : Mr. A.L.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 25-06-2015 Heard the parties.

The informant of the case has been made accused in the case by the Police and that is how the petitioner no. 1 being the informant of Gamharia P.S. Case No. 63 of 2013 has filed the present application seeking anticipatory bail.

Petitioner no. 1 lodged Gamharia P.S. Case No. 63 of 2013 under sections 25(1-b)a, 26 and 35 of the Arms Act against the named accused persons alleging that in the intervening night of 25-26.4 2013, the accused persons entered into the house armed with country made pistol. When alarm was raised, they tried to flee away and in course whereof the country made pistol was dropped in the house of the informant by the accused persons. The Investigating Officer now sues the petitioner for having possessed the country made pistol inasmuch as a warrant has been issued

against the petitioner.

Taking into account the aforesaid facts, I am inclined to privilege the petitioners with anticipatory bail. In the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in Gamharia P.S. Case No. 63 of 2013 (G.R. No. 814 of 2013) subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) Petitioners shall cooperate in the trial and in case of framing of charge, he will appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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