

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30696 of 2015

Arising Out of PS.Case No. -135 Year- 2015 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Ganesh Gupta

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 414 of the Indian Penal Code and 25(1-B)a/26/35 of the Arms Act.

On secret informant, a raid was laid when 4-5 miscreants started escaping from the place of raid, out of them three were apprehended, namely, Mukesh Kumar Yadav, Anshul Rai and Samir Alam, from the spot one loaded pistol and cartridge were recovered. On statement of co-accused Mukesh Kumar Yadav three live cartridges were recovered from his rented room, who suggested the name of the petitioner as a person who had the knowledge about the pistol and cartridges.

It is submitted by learned counsel for the petitioner that admittedly no recovery has been made from the petitioner and a

statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Motihari Town P.S. Case No.135 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bond of the petitioner will be accepted on filing of the affidavit by the petitioner before the learned court below to the effect that he will regularly co-operate in the investigation. Non-cooperation in the investigation by the petitioner will give liberty to the learned court below to cancel the bail bonds of the petitioner.

Ashwini/-

(Dinesh Kumar Singh, J)

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