

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15944 of 2016

Arising Out of PS.Case No. -241 Year- 2015 Thana -BHAGWANPUR District- BEGUSARAI

Dhiraj Kumar, Son of Suresh Singh, Resident of Village- Mokhtiyarpur,
Police Station-Bhagwanpur, District-Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar (APP)

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 23-05-2016 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 25 (1-b)a/26/35 of the Arms Act.

It is contended on behalf of the petitioner that though he is named in the FIR but his name has been included only on the alleged information given by the accused, namely, Anupam Kumar Chaudhary who was apprehended on the spot that the petitioner had fled away after seeing the policy party. It is further contended that the recovery is from the person of the aforesaid co-accused Anupam Kumar Chaudhary. There is no recovery from the house of the petitioner. It is urged that the said person had only came to meet the petitioner who was not present in the house and

even he has not stated that the petitioner was also armed with illegal weapon as he has merely stated, as alleged, that the petitioner had fled away after seeing the police party. The petitioner claims to have clean antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Dhiraj Kumar be released on bail in the event of his arrest/surrender before the court below within a period of six weeks from today in connection with Bhagwanpur P.S. Case No.241/2015, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

However, at the time of furnishing bail bond, the court below will verify and assure itself regarding the criminal antecedent of the petitioner. If the petitioner is having clean antecedent then his bail bond would be accepted otherwise he would be taken into custody.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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