

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27513 of 2017

Arising Out of PS.Case No. -58 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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Birbal Mandal Son of Deenanath Mandal, resident of Village- Patuari, Ward
No. 2 P.S. Forbesganj, District Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with
Forbesganj P.S. Case No. 58 of 2017 for the offences
registered under Sections 25 (1-b)A /26 of the Arms Act.

Learned counsel for the petitioner submits that the
entire allegation against the petitioner is concocted and
motivated. It is further submitted that it was infact, the
petitioner, who had filed a case against one Bhupesh Mandal
of having entered his house with weapon. He was present
alongwith the police personal and the arms recovered from the
said Bhupesh Mandal. However, though at the initial stage,



the case was found to be true by the Investigating Officer, after the change of the investigating officer, the new I.O. who stepped into his shoes started conniving with the accused persons and turned the case against the petitioner and the present case under the Arms Act has been lodged against him on the basis of the supervision notes of the aforesaid case. He thus, submits that since the recovery of the weapon was in fact from Bhupesh Mandal, no case is made out against the petitioner and he may be extended the privilege of anticipatory bail. He further submits that the protest petition has also been filed by the petitioner in connection with aforesaid case against the accused persons.

In view of the aforementioned facts and circumstances of the case and the peculiar nature of allegation as drawn up against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 58 of 2017, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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