

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16985 of 2017

Arising Out of PS.Case No. -10 Year- 2017 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

=====

Anmol Kumar Sinha Son of Late Satish Chandra Prasad, Resident of
Village- Mohanpur, P.S.- Muffasil, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-05-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case
registered under Sections 25(1-B)a, 26 of Arms Act.

As per written report this petitioner had earlier filed
Muffasil P.S.Case no. 50 of 2016 for the offences under Sections
341, 323, 307/34 IPC and 25(1-B)a,26,27,35 of Arms Act against
accused, namely, Sorhanjee @ Prakash Kumar and two unknown.
Thereafter the police has filed the instant case against this
petitioner for filing false case under Sections 188 and 211 of the
Indian penal Code and 25(1-B)a,26 of Arms Act on the plea that
the arm which was said to be recovered in that case was planted by
this petitioner. The petitioner has clean antecedent. He has been
made accused by the police merely on suspicion and without any
substantive material only because the police found Muffasil
P.S.Case No.50 of 2016 false against the accused person in that



case.

Considering the aforesaid the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. Let, above named petitioner, in the event of his arrest/surrender in the court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, V, Samastipur in connection with Samastipur Muffasil P.S. Case No. 10 of 2017, subject to the conditions as laid down u/s 438(2) Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bonds of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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