

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61506 of 2017

Arising Out of PS.Case No. -229 Year- 2016 Thana -DIGHA District- PATNA

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Vikki Kumar, Son of Mantu Mahto, Resident of Mohalla- Bansh Kothi,
Gate No.-97, Digha, Tenant in the House of Bidya Bhushan Murari, P.S.-
Digha, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Narayan Singh

For the Opposite Party/s : Mr. Sri Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 19-12-2017

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections
25(1-B)a/26/35 of the Arms Act.

The prosecution case is that on 10.09.2017
at 5.30 P.M. the informant Niraj Kumar, S.I. of Digha Police
Station submitted written report to the SHO, Digha Police
Station stating that he proceeded for investigation of Digha P.S.
Case No. 227 of 2016 he received information with regard to
involvement of Shambhu Kumar of Gate No. 82. On that
information the house of Shambhu Kumar was searched and one



country made pistol and one live cartridge were recovered from the box kept in the bed room of the house of Shambhu Kumar, who was arrested and disclosed that co-accused Manoj, Dharmendra and this petitioner gave arms and ammunition to him.

It is submitted by learned counsel for the petitioner that admittedly recovery has been made from co-accused Shambhu and petitioner has been dragged only on the basis of statement of Shambhu before the police. It is further submitted that petitioner was accused in Digha P.S. Case No. 227 of 2016 but he has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 07.12.2017 passed in Cr. Misc. No. 57457 of 2017.

Learned APP submits that recovery has not been made from the petitioner.

Considering the fact that the recovery has not been made from the petitioner 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class,



Patna in connection with Digha P.S. Case No. 229 of 2016,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Dinesh Kumar Singh, J)

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