

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55837 of 2018

Arising Out of PS. Case No.-36 Year-2018 Thana- BAHERI District- Darbhanga

Balram Kumar Singh S/o Ganga Prasad Singh, Residence of Mohalla/Vill.-
Gangauli Barha, Navtoli, P.S.- Sakatpur, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-12-2018 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his arrest in connection with Baheri P.S. Case No. 36 of 2018 dated 08.03.2018 instituted for the offences under Section 25(1-b)a, 26 and 35 of the Arms Act.

From perusal of the F.I.R., which has been lodged by a police officer, it appears that while investigating a case in connection with Bahadurpur P.S. Case No. 48 of 2018 instituted for the offences under Sections 302, 201 and 34 of the Indian Penal Code, the informant recorded the statement of some of the accused persons regarding the



manner in which the occurrence was committed and pursuant to the aforesaid confessions of accused persons, motorcycle, car and some ammunitions were recovered.

Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner and his prosecution in this case is only on the basis of the statement of one of the accused persons, namely, Sunil Kumar, who stated before the police that he along with the petitioner had travelled in one car and had carried the weapon of assault.

Learned counsel for the petitioner has submitted that but for the fact that the petitioner has also been made an accused in the aforesaid case of murder, namely, Bahadurpur P.S. Case No. 48 of 2018, there is no other material against the petitioner for rejection of his anticipatory bail.

Considering the aforesaid facts and taking into account that nothing has been recovered from the possession of the petitioner, the petitioner above-named is directed to be released on bail, 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, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate Magistrate-IX, Darbhanga in connection with Baheri P.S. Case No. 36 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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