

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1718 of 2018

Arising Out of PS.Case No. -61 Year- 2012 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

- =====
1. GAYAN CHANDER MUKHIYA, S/o Late Shiv Pujan Mukhiya, R/o Village- Piprahiya, P.S.- Yogapatti (Nawalpur), District- West Champaran.
 2. Doma Mukhiya S/o Manager Mukhiya , R/o Village- Piprahiya, P.S.- Yogapatti (Nawalpur), District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-01-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Yogapatti (Nawalpur) P.S. Case No. 61 of 2012 registered for the offence punishable under Sections 25(1-b) (a), 26 and 35 of the Arms Act.

The allegation is regarding the Police having raided the house of the co-accused Ghanshaym Prasad and from where a country made katta, two guns and a small bag containing cartridges were recovered.

The learned counsel for the petitioners submits that neither any recovery has been made from the person of the



petitioners herein nor the house where the raid had taken place belongs to them. It is further submitted that the petitioners have a clean antecedent. It is also submitted that the name of the petitioners transpired on account of disclosure made by the aforesaid Ghanshyam Prasad, hence the complicity of the petitioners herein is doubtful.

Having regard to the facts and circumstances of the case more particularly the fact that neither any recovery has been made from the petitioners nor the house from where the recovery has been made, belongs to the petitioners, I deem it fit and proper to enlarge the petitioners herein on anticipatory bail in the event of their arrest or surrender before the court below within six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Bettiah, West Champaran in connection with Yogapatti (Nawalpur) P.S. Case No. 61 of 2012 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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