

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7883 of 2019

Arising Out of PS. Case No.-299 Year-2018 Thana- BUXAR MUFFSIL District- Buxar

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Mohan Chouhan @ Manmohan Chauhan, aged about 27 years (Male), S/o
Sri Chouhan @ Sri Ram Chouhan, Resident of Village- Ward No.-1 Mahdah,
P.S.- Buxar (Muffasil), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 399, 402 and 414 of
the IPC and Sections 25(1-B)a and 35 of the Arms Act

The prosecution case, as per the written report of S.I., Ravi
Shankar of Buxar (Muffasil) Police Station is to the effect that
on 12.10.2018 at 7.30 A.M., a secret information was received
that in the house of Sunil Rajbhar @ Dara Rajbhar, 5-6
miscreants have assembled and are planning to commit a crime
and they are also having a stolen motorcycle, whereupon raid
was laid, on seeing the police personnel, some of them escaped
from the scene and on chase being made, two persons were



apprehended, who disclosed their names as Sunil Rajbhar and Manoj Chouhan, who confessed the name of the petitioner and other accused persons. It is further alleged that from the possession of the petitioner, one country made pistol, a motorcycle and other articles were recovered.

It is submitted by learned counsel for the petitioner that there is no recovery from the possession of the petitioner and he was not apprehended from the place of occurrence. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up on the confessional statement of co-accused persons.

Considering the fact that the accusation does not suggest any recovery from the possession of the petitioner and name of the petitioner sprang up on the confessional statement of co-accused persons, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/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 like amount each to the satisfaction of



learned **CJM, Buxar** in connection with **Buxar (Mufassil) P.S.**
Case No.299 of 2018 subject to the condition as laid down
under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Rahul/sunilkumar/-

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