

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12227 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- BUXAR MUFFSIL District- Buxar

Sidharth Kumar, son of Late Ramawatar Singh Resident of Village- Pandey Patti, P.S.- Buxar (Muffasil), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 01-07-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Buxar (Muffasil) P.S. Case No.01 of 2019 for the offence punishable under Sections 399, 402 of the Indian Penal Code and Section 25(1-b)a, 26, 35 of Arms Act.

The allegation, as stated in the First Information Report, is that upon seeing the police party, some persons started fleeing away and out of them three persons were arrested. The arrested person disclosed the name of the petitioner. From possession of the arrested person, one loaded pistol along with cartridges were recovered.

Learned counsel for the petitioner submits that petitioner has got no criminal antecedent and his name has been



disclosed by the persons who were arrested along with arms and cartridges.

After having heard learned counsel for the petitioner as well as learned counsel for the State and upon perusal of the seizure list and materials available on record, it transpires that petitioner's named has occurred on the basis of statement made by the arrested person and the petitioner has got no criminal antecedent and no recovery of arms and ammunitions has been made from the possession of the petitioner. As such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner is directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by the petitioner, the petitioner shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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