

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17611 of 2019**

Arising Out of PS. Case No.-527 Year-2018 Thana- MADHEPURA District- Madhepura

PAPPU KUMAR @ PAPPU YADAV Son of Shambhu Yadav resident of
village- Dighiya, P.S. and District- Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 26-03-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Madhepura (Ghailarh OP) P.S. Case No. 527 of 2018 for the
offence under Sections 25(1-b)a/26/35 of the Arms Act.

In suspicious circumstances, the police are said to
have intercepted a Scorpio vehicle. Allegedly, there were five
persons in the said vehicle, out of whom, two managed to flee
away, three were arrested and from possession of accused
Sudarshan Khan, a country made pistol and four live cartridges
were recovered. A magazine with seven live cartridges were also
recovered. From possession of co-accused Keshave Vatsa, a
country made pistol and cartridge were recovered. Similarly,
certain recoveries were made from co-accused Md. Salam also.



They are said to have disclosed the name of the petitioner as one of the two, who had managed to flee away.

Learned counsel appearing on behalf of the petitioner has submitted that there is no allegation that the petitioner was possessing any firearm. He has also submitted that there is matrimonial dispute between him and his wife, leading to registration of a complaint case and possibly because of the said dispute, the petitioner has been falsely implicated in the present case.

Be that as it may, considering the nature of accusation, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhepura, in Madhepura (Ghailarh OP) P.S. Case No. 527 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to



appear before the Court on two consecutive occasions, his bail
bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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