

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21683 of 2019**

Arising Out of PS. Case No.-127 Year-2018 Thana- BELHAR District- Banka

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Lallan Pandit @ Lalan Kumar Pandit Son of Saryug Pandit Resident of
Village-Kunjala Garim, P.S-Belhar, District-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 08-04-2019 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 121, 121A and 120B of the IPC, Sections 25(1-B)a, 26 and 35 of the Arms Act and Sections 16, 17, 18, 19, 20, 21 and 22 of the Unlawful Activities (Prevention) Act and Section 17 of the Criminal Law Amendment Act.

The prosecution case is that on a secret information that naxalis are preparing to commit heinous crime, raid was laid and two persons, namely Binod Hembram and Saloni @ Basanti Hembram were apprehended and from their possession, three



country made loaded pistols and three live cartridges were recovered. The apprehended co-accused persons also disclosed the name of the petitioner, as the person who escaped from the scene.

It is submitted by learned counsel for the petitioner that admittedly, no recovery has been made from the conscious physical possession of the petitioner and only on the basis of statement of apprehended co-accused, the petitioner has been roped in the present case. 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 on arrival of the police, the petitioner escaped from the scene.

Considering the fact that prosecution case does not suggest that recovery has been made from the conscious physical possession of the petitioner, 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, Banka in connection with Belhar
P.S. Case No. 127 of 2018, subject to the condition as laid down
under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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