

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30265 of 2019

Arising Out of PS. Case No.-250 Year-2018 Thana- BALIYA District- Begusarai

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Dharnidhar Mishra @ Pandijee, Aged about 35 years, Male, Son of Pandit Hari Shankar Mishra, Resident of Bhagatpur (Shadipur Diyara), P.S. Ballia, District Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh

For the Opposite Party/s : Mr.Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 08-05-2019 Heard both sides.

Petitioner apprehends his arrest in Ballia P.S. Case No.250 of 2018, registered under Sections 401, 413, 414 and 411 of the Indian Penal Code as well as under Sections 25, 1(B)a/26 of the Arms Act.

The S.H.O. of Baliya Police Station on secret inputs arrested Raushan Choudhary and from his possession different stolen articles including fire arms were recovered. Raushan Choudhary disclosed the name of 18 persons including the petitioner. On the basis of the disclosure made by Raushan Choudhary, stolen articles were recovered from the house of Santosh Choudhary, Bhushan Choudhary, Raushan Choudhary, Munna Choudhary, Suraj Sharma, Bikram Yadav and Deo Kumar but nothing has been recovered from the house of the petitioner,



Dharnidhar Mishra @ Pandijee. It is submitted that similarly situated accused Vishal Raj @ Raja @ Sadar was granted anticipatory bail vide order dated 06.02.2019 passed in Cr. Misc. No.2282 of 2019. The case of the petitioner stands on the same footing.

It appears that of course the name of the petitioner surfaced in the case on the basis of confessional statement of Raushan Choudhary but no stolen article was recovered from the house of the petitioner and similarly situated co-accused Vishal Raj @ Raja @ Sadar has already been granted anticipatory bail.

Considering the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged 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., Begusarai in connection with Ballia P.S. Case No.250 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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