

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34908 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- KALYANPUR District- Samastipur

SANTOSH KUMAR @ SANTOSH KUMAR TIWARI @ ANNU TIWARI
Son of Ram Kumar Tiwari Resident of Village - Repura, P.S.- Tajpur (Waini
O.P.), District - Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar

For the Opposite Party/s : Mr.Ramchandra Sahn

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-08-2019 This application, for grant of anticipatory bail, arises
out of Kalyanpur P.S. Case No. 12 of 2019, disclosing offences
under Sections 414 of the Indian Penal Code and Section
25(1-B)A, 26/35 of the Arms Act.

Prosecution case is that police apprehended two accused
persons, namely, Rajeev Kumar and Ghulam Ahmad Raja and
recovered one loaded country made pistol from the Ghulam
Ahmad Raja and one 8 mm cartridge was recovered from the
Rajeev Kumar as well as a cash of Rs. 50,000/- was also recovered
from them and they disclosed the name of petitioner, as the person,
who has supplied the pistol and Rs. 50,000/- for the murder of Zila
Parishad. Apart from that he is accused in two more cases.

Submission of learned counsel for the petitioner is that
submission is that he is a retired Army personnel and so far



criminal antecedent of the petitioner is concerned, they are with respect to property dispute and in one of the cases, he has been acquitted and in another case compromised has been reached between the parties and so far this case is concerned, save and except the disclosure made by the co-accused, there is absolutely nothing against the petitioner.

Heard learned A.P.P. also.

Having heard both sides, considering the submission, as above, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Kalyanpur P.S. Case No. 12 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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