

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57344 of 2019

Arising Out of PS. Case No.-944 Year-2018 Thana- FORBESGANJ District- Araria

SUDHIR KUMAR MEHTA S/o Dumar lal Mehta R/o village- Tedhi
Mushahri, P.S.- Forbesganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 24-09-2019 The petitioner apprehends his arrest in connection with Forbesganj (Simraha) P. S. Case No. 944 of 2018 registered under Sections 120B, 399, 402 and 414 of the Indian Penal Code and 25(1-b), 26 and 35 of the Arms Act.

Allegation against the petitioner, as per FIR, is that the police, upon secret information that some anti-social elements were planning to commit dacoity, raided the house of Anmol Kumar Yadav and arrested three accused persons and two persons had succeeded in fleeing away. The name of petitioner has been disclosed by the arrested co-accused. The police recovered country made pistol, mobile phone and live cartridges from the possession of the arrested co-accused persons.

Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in this case inasmuch as no illegal arms or incriminating material has been



recovered from the possession of the petitioner. He further submits that petitioner has been implicated by the police with oblique motive.

Having regard to the submissions made by the parties and taking into consideration the fact that no illegal arms has been recovered from the petitioner, as such I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Forbesganj (Simraha) P.S. Case No. 944 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that the petitioner shall give an undertaking to the court that he shall not indulge in any criminal activity. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to do so on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

(Anil Kumar Sinha, J)

sujit/-

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