

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55291 of 2019

Arising Out of PS. Case No.-283 Year-2019 Thana- MUFFASIL District- West Champaran

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VICKY KUMAR @ VICKY PATEL Son of Sri Dinesh Sharma Resident of
Village-Belwa, P.S.-Bettiah Muffasil, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Bettiah Muffasil P.S. Case NO. 283 of 2019, disclosing offences under Sections 25(1-B) (a), 26, 35 of the Arms Act, 1959.

According to the case of the prosecution, after having received confidential information, the police party had attempted to intercept three persons, who were allegedly carrying fire arms. One of them managed to flee away, whereas two were apprehended. From their possession a pistol and live cartridges were recovered. The apprehended accused persons are said to have disclosed petitioner's name as the third person who had managed to flee away.

Learned counsel appearing on behalf of the



petitioner has submitted that there is absolutely no material in the F.I.R. to suggest that the petitioner was in possession of any fire arms. He has been implicated as the said co-accused persons allegedly disclosed that the pistol and the cartridges were supplied by the petitioner. The petitioner has no criminal antecedent as stated in paragraph 3 of the application.

Considering the facts and circumstances as noted above, 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 Chief Judicial Magistrate, West Champaran at Bettiah in Bettiah Muffasil P.S. Case No. 283 of 2019, 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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