

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54671 of 2019

Arising Out of PS. Case No.-114 Year-2019 Thana- JAMALPUR District- Munger

Sanjit Kumar Rajak @ Sanjit Kumar, Son of Arjun Rajak, Resident of Village
- Dharhara, Lakshmi Asthan, Utter Tola, P.s.- Dharhara, Dist.- Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Ranjan Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-08-2019 Heard learned counsel for the petitioner and learned counsel
appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Jamalpur
P.S. Case No.114 of 2019 for the offence punishable under Sections
25(1-b)a, 26, 35 of the Arms Act.

The allegation against the petitioner as per the First
Information Report is that police while on patrolling intercepted two
persons and after seeing the police party, one person succeeded in
fleeing away, however, police apprehended one Santosh Kumar and
upon search, a country-made loaded pistol has been recovered from
possession of the apprehended person who disclosed the name of the
petitioner who had fled away.

Learned counsel appearing for the petitioner submits that
petitioner has falsely been implicated in this case mainly on the basis
of statement made by co-accused, Santosh Kumar, from whose
possession, the country-made loaded pistol has been recovered by the



police. Learned counsel further submits that petitioner is the maternal uncle of arrested person and due to the family dispute, he has been implicated in the present case. Learned counsel also submits that no illegal arm has been recovered from the possession of the petitioner.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the name of the petitioner has been disclosed by the arrested co-accused and further no illegal arm has been recovered from the possession or from the house of the petitioner, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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