

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65195 of 2019

Arising Out of PS. Case No.-63 Year-2006 Thana- NARDIGANJ District- Nawada

1. MAHESH LAL S/o Late Luha @ Baleshwar Lal
2. Nilam Devi W/o Mahesh Lal
3. Gudiya Devi @ Manju Devi D/o Mahesh Lal All R/o village- Padpa, P.S.- Nardiganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar
For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioners as well as
learned Addl. Public Prosecutor for the State.

Petitioners are apprehending their arrest in Nardiganj P.S.
Case no. 63/2006 registered under sections 25(I-B)A/26/35 of the
Arms Act.

It is submitted by counsel for the petitioners that petitioners
were not residing at his village home from where recovery was made
way back in the year 2006 rather they were residing at Delhi. Co-
accused Santosh Sah was residing in the said house as a tenant from
where he was arrested. Earlier petitioners had no knowledge that they
had also been made accused in the case. Since petitioners had no
knowledge about the case, they approached this court after delay.

Delay has accordingly been explained.

It is further submitted that co-accused Santosh Sah has been



granted regular bail by the court below.

Considering the aforesaid submissions and the fact that petitioners have no criminal antecedent, prayer for anticipatory bail is allowed.

In the event of arrest/ surrender within four weeks from the date of receipt of a copy of the order in the court below, petitioners shall be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the ACJM V, Nawada/ Concerned court in Nardiganj P.S. Case no. 63/2006 subject to the condition under section 438(2) Cr.P.C and other conditions.

(1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

s.hassan/-

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(Madhuresh Prasad, J)

