

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73658 of 2019

Arising Out of PS. Case No.-133 Year-2018 Thana- NIMCHAKBATHANI District- Gaya

PAPPU CHAUHAN S/o Chandra Chauhan @ Ram Chandra Chauhan @ Ram Chandar Jamadar Resident of Village- Ganpat Nagar, P.S.- Neemchak Bathani, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 452/34 of the IPC and 25(1-B) A,26/35 of the Arms Act.

Allegation as per FIR is that on 13.10.2018 at about 7.30 PM informant was on his roof. It is further said that informant saw that Vidyanand Chauhan and Sanjay Chauhan entered inside his house and Pappu Chauhan was standing outside the house. It is further said that on hulla of informant, three persons started fleeing away and informant caught Vidyanand Chauhan but others co-accused succeeded to flee away. After hulla villagers assembled and they saw that country made pistol and two cartridges in the waist of Vidyanand



Chauhan. It is further said that accused were came to kill Bindu Chauhan and Naresh Chauhan. It is further said that villagers assaulted the Vidyanand Chauhan as result of which Vidyanand Chauhan received injuries.

Learned counsel for the petitioner submits that petitioner has committed no offence, rather he has been falsely implicated in this case due to previous enmity and there is no specific allegation against the petitioner and there is no recovery from conscious possession of the petitioner.

In the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Xth, Gaya in connection with Neemchak Bathani P.S. Case No.133/2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

Prakash Narayan /-

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