

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4672 of 2020

Arising Out of PS. Case No.-646 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

Ranjan Yadav Son of Sagedu Yadav Resident of Village - Sikathi, P.S.-
Bhabua, Distt - Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2020 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

The prosecution case is to the effect that while the informant, being the S.I. of Police, was on patrolling duty, he intercepted a motorcycle, on which two persons were riding, when the driver of the motorcycle managed to escape from the scene, but the pillion rider was apprehended, who disclosed his name as Kundan Patel and from his possession, a country made pistol was recovered. The apprehended co-accused person also disclosed the name of the petitioner as the person who escaped from the scene.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot and no recovery



has been made from the conscious physical possession of the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that name of the petitioner sprang up on the confession of apprehended co-accused person.

Considering the fact that the petitioner was not apprehended from the spot and recovery, prima facie, has not been made from the conscious physical possession of the petitioner, coupled with the fact that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 646 of 2019, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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