

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8994 of 2020

Arising Out of PS. Case No.-253 Year-2019 Thana- LALGANJ District- Vaishali

AMIT KUMAR Son of Mahendra Bhagat Resident of Village - Bhagwanpur
Pakari, P.S. - Lalganj, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Tiwary

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-03-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

This is an application for grant of anticipatory bail in connection with Lalganj P.S. Case No. 253 of 2019, registered for the offence punishable under Sections 25(1-b)/A/26/35 of the Arms Act.

The allegation is regarding the police having got secret information that some miscreants were planning to commit crime near the railway crossing whereupon the police had arrived there and caught the co-accused person, namely, Chandan Kumar and from his possession, various arms were recovered and upon interrogation, he is stated to have disclosed the name of his accomplices including the petitioner.

The learned counsel for the petitioner has submitted that



the petitioner is innocent, he is having no complicity in the matter and except one case in which he is on bail, he is having a fair antecedent. It is further submitted that no recovery of illicit arms has been made from the conscious possession of the petitioner, hence, benefit of doubt can be given to the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX Vaishali at Hajipur in connection with Lalganj P.S. Case No. 253 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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