

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9570 of 2020

Arising Out of PS. Case No.-325 Year-2018 Thana- CHANPATIA District- West Champaran

HIMANSHU KUMAR S/o Chokat Mahato R/o village- Patkhauli, P.S.-
Sirisiya O.P., District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-06-2020 This case has been heard through video conferencing.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

According to the FIR, on 23.07.2018, the informant
received information that Binay Pathak and others are
assembled with arms at Sanichari main road for the purpose of
committing crime. When the informant along with police party
reached then they tried to flee away after seeing the police party.
But with the help of police party, they were chased and caught
hold one person and others succeed to flee away from there.
After search 315 bore live cartridges, country made pistol was



recovered. Accordingly, seizure list was prepared.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case due to village politics. He submits that nothing incriminating has been recovered from the possession of the petitioner. He further submits that name of the petitioner has come on the basis of confessional statement of co-accused Ashok Kumar who was apprehended by the police and except to that there is no any material against 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.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, Bettiah, District-West Champaran in connection with Chanpatia Police Station Case No. 325 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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