

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15513 of 2020

Arising Out of PS. Case No.-1185 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

1. RAJA KUMAR Son of Mahendra Singh Village-Baijnathpur, P.S.-Ahiyapur, District-Muzaffarpur.
2. Rohit Kumar Son of Ram Kumar Singh Resident of Village-Patiyasa Jalal, P.S.-Ahiyapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 399, 402, 400, 401 & 414 of the Indian Penal Code and Sections 25(1-b)A, 26 and 35 of the Arms Act.

Prosecution case in short is that on the secret information, the informant with police team rushed near the medical over



bridge. Seeing the police party, four persons boarded on two motorcycles began to flee away towards Darbhanga four lane while two persons boarded on black colour motorcycle attempted to flee away but they were caught by police who told their names to be Atul Kumar and Aman Kumar. On search, pistols and cartridges were also recovered from their possession. They confessed their guilt and named the petitioners.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The name of the petitioners transpired in this case on the basis of disclosure made by co-accused. There is no recovery of any incriminating articles from possession of the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of



learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 1185 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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