

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15661 of 2020**

Arising Out of PS. Case No.-351 Year-2019 Thana- KALYANPUR District- Samastipur

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SUJEET KUMAR SINGH @ SUJEET KUMAR Son of Shivchandra Singh  
Resident of Village - Milki, P.S. - Kalyanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ranjan Kumar  
For the State : Mr.Binod Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      08-07-2020                      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 petitioner and learned APP  
for the State.

The petitioner is apprehending his arrest in a case  
registered under Sections 399, 402/34 of the Indian Penal Code  
and Section 25(1-B)A, 26, 35 of the Arms Act.

Prosecution case, in short is that on the tip off, the  
informant along with local Chowkidar reached at the noticed  
place. Seeing the police party 5-6 persons started fleeing away.  
On chase, three of them were caught while others managed to  
escape. On search, a loaded country made pistol, a country



made revolver, five live cartridges and two mobiles were recovered from them.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner transpired in this case on the basis of disclosure, made by co-accused. There is no recovery of arms from possession of the petitioner. The petitioner has been made accused in the present case due to mistake of fact.

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

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, 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 his personal bond to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P.S. Case No. 351 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 petitioner 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)**

A.K.V.//-

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