

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81529 of 2019

Arising Out of PS. Case No.-616 Year-2019 Thana- ARARIA District- Araria

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Dipak Yadav @ Deepak Kumar Yadav, aged about 22 years, Male, Son of Dalo Yadav, Resident of Village - Baghwa Koyali, P.S.- Tika Patti, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-02-2020 Lawyers abstained from their work.

I have perused the records.

The petitioner apprehends his arrest in connection with Araria P.S. Case No. 616 of 2019 registered for the offences punishable under Sections 447, 120(B) of the Indian Penal Code and Sections 25(1-B) a 26, 29 of the Arms Act.

According to the F.I.R., the accused petitioner is an ATM guard and there is allegation against him that he had sold five cartridges to Laxman Sah. Due to family dispute, co-accused Laxman Sah tried to implicate Rajesh Kumar in a false case by planting those cartridges.

There is no recovery from the conscious possession of



the petitioner. Petitioner has no concern with the co-accused persons and never supplied any cartridges to the co-accused Laxman Sah. The petitioner has been made accused on the basis of confessional statement of co-accused Laxman Sah, except this nothing against this petitioner. Petitioner has never planted any cartridges in the house of Rajesh Kumar and after recovery of cartridges, the petitioner was booked at the instigation of Rajesh Kumar in the back drop of previous enmity.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 616 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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