

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13567 of 2021**

Arising Out of PS. Case No.-35 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

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SUMAN KUMAR Son of Pramod Sahani Resident of Village - Sahwajpur,
P.S. Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of eight weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 399, 402, 414, 412 of the Indian Penal
Code and 25(1-B)A, 26 and 35 of the Arms Act.

The prosecution case, in short, is that two loaded
pistols and three motorcycles are recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The name of the petitioner has transpired on the basis



of disclosure made by the co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that two loaded pistols along with three motorcycles are recovered from the possession of co-accused. Nothing incriminating has been recovered from the conscious possession of the petitioner.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -4th -cum- Sub Judge, Muzaffarpur in connection with Ahiyapur P.S. Case No. 35/19, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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