

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17280 of 2021

Arising Out of PS. Case No.-276 Year-2020 Thana- SARAIYA District- Muzaffarpur

Santosh Kumar Dwivedi @ Santosh Pandit @ Santosh Kumar Divedi Son Of
Shashi Bhushan Dwivedi @ Sundeshwar Devidi Resident of Village - Chak
Madhua Bazar, Basantpurpatti, P.S.- Saraiya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-12-2021 Let the defects, as pointed out by the office, be
removed when called upon to do so by the office.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered in connection with Saraiya P.S Case No. 276 of
2020 for the offences punishable under Sections
399,402,413,414 of the Indian Penal Code and section 25(1-b)
a, 26/35 of the Arms Act.

As per prosecution case, informant (S.H.O) got secret
information that some miscreants were assembled with arms
near Bakhra Electricity Office. When the police personnel
reached there, five persons were apprehended and one fled away



on the spot. On being search loaded pistols and dagger were recovered from their possession and they were assembled for committing some crime.

Learned counsel for the petitioner submitted that petitioner is named in the F.I.R and he along with his companion have assembled for committing crime in the night. Petitioner was not arrested on the spot and nothing incriminating article has been recovered from his possession. Petitioner name has been transpired in this case on the basis of confessional statement of co-accused persons, who were arrested on the spot.

In the facts and circumstance of the case, let the petitioner , above named, in the event of his arrest or surrender before the Court Below within a period of four 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 Additional Chief Judicial Magistrate1st West Muzaffarpur in connection with Saraiya P.S Case No. 276 of 2020 subject to the conditions as laid down under Section 438(2) of the Cr.P.C

(Sunil Kumar Panwar, J)

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