

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21605 of 2021

Arising Out of PS. Case No.-447 Year-2020 Thana- NAANPUR District- Sitamarhi

1. DIPU KUMAR MANDAL @ DIPU KUMAR Son of Naresh Mandal
Resident of Village - Raipur, P.S. - Nanpur, District - Sitamarhi
2. Vibhu Sahni @ Vibhu Kumar Son of Maheshwar Sahni Resident of Village -
Raipur, P.S. - Nanpur, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2021 Heard learned counsel for the petitioners and learned APP
for the State.

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

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

The prosecution allegation, in short, is that three loaded
pistols and five live cartridges are recovered from accused persons.

It has been submitted on behalf of the petitioners that the
petitioner no. 2 has 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. Arms are said to have been recovered from the possession of co-accused. There is no recovery of any incriminating articles from the possession of the petitioners. The names of the petitioners have transpired on the basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest their implication in the present case.

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

Considering the aforesaid facts and circumstances, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Pupri, Sitamarhi in connection with Nanpur P.S. Case No. 447 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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