

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29569 of 2021

Arising Out of PS. Case No.-233 Year-2019 Thana- ROSERA District- Samastipur

SUMIT KUMAR MAHTO @ SUMIT KUMAR Son of Lal Kishun Mahto @
Lal Kisun Mahto Resident of Village - Bherha, P.S. - Rosera, District -
Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2021 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 of the Indian Penal
Code and 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution allegation, in short, is that four
pistols along with four live cartridges is recovered.

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



petitioner. The petitioner has falsely been implicated in the present case. No incriminating articles is recovered from the possession of the petitioner. Arms along with stolen property is said to have been recovered from the possession of the co-accused. The name of the petitioner has transpired on the basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest his implication in the present case.

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

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. -1, Rosera, Samastipur in connection with Rosera P.S. Case No. 233 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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