

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35199 of 2021**

Arising Out of PS. Case No.-168 Year-2020 Thana- GWALPARA District- Madhepura

1. SINTU MANDAL @ LALTU MANDAL Son of Deoki Mandal Resident of Village - Paharpur, P.s.- Sour Bazar, Dist.- Saharsa.
2. PINTU MANDAL Son of Deoki Mandal Resident of Village - Paharpur, P.s.- Sour Bazar, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      22-12-2021                      Heard learned counsel for the petitioners and learned APP  
for the State.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in connection with Gwalpara (Arar O.P.) P.S. case No.168 of 2020 registered under Sections 25(1-AA), 25(1-B)A, 26, 35 of the Arms Act.

Allegation is that one country made pistol, two live cartridges, four barrels and two machines are recovered.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been made accused due to mistake of fact. Arms is said to have been recovered from the possession of



co-accused. There is no recovery of arms from the possession of the petitioners. The names of the petitioners have transpired in this case on the disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case.

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

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IInd class, Udakishunganj, Madhepura in connection with Gwalpara (Arar O.P.) P.S. case No.168 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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