

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33865 of 2021

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

VIDYA NAND MANDAL SON OF KAPURI MANDAL Resident of Village
- Dephara, P.S.- Gwalpara (Arrar O.P.), Distt.- Madhepura.

... .. 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.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

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

The petitioner is apprehending his arrest in connection with Gwalpara (Arrar O.P.) P.S. case No.168 of 2020 registered under Sections 25(1-A), 25(1-B)A, 26, 35 of the Arms Act.

Allegation is that one country made pistol, two live cartridges, one iron barrel and some drill and iron cutting machines 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 petitioner has 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 petitioner. The name of the petitioner has 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 petitioner in this case.

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

Considering the facts and circumstances of the case, the petitioner, 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, 2nd class, Udakishunganj, Madhepura in connection with Gwalpara (Arrar 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.

Narendra/-

(Sudhir Singh, J)

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