

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40318 of 2021

Arising Out of PS. Case No.-284 Year-2020 Thana- CHHAURADANO District- East Champaran

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BISHAL KUMAR @ RAJA DAS Son of Praduman Das Resident of Village-
Bakhari, P.S.- Adapur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

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

APP for the State.

Learned 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 a case registered under Sections-399, 402, 414 of the Indian Penal Code and Sections- 25(1-b)a, 26/35 of the Arms Act.

Allegedly, two loaded country made Kattas and one live cartridge of .315 bore are recovered in this case.

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 falsely implicated in the present case. Arms are said to have been recovered from possession of the co-accused. There is no recovery of arms from possession of the petitioner. The name of the petitioner has transpired in this case



on the basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no compliance of Section 100 of the Cr.P.C.

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

Considering the aforesaid 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 bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of Sri Sanjay Kumar VI, learned Judicial Magistrate, Raxaul, District-East Champaran in connection with Chhauradano P.S. Case No. 284 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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