

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4209 of 2021

Arising Out of PS. Case No.-340 Year-2020 Thana- KHAIRA District- Jamui

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RUPESH KUMAR @ RUPESH YADAV SON OF SRI BHOLA YADAV
RESIDENT OF VILLAGE - KURWATANR, P.S. - KHAIRA, DISTRICT -
JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prakash Mahto

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-11-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

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

The petitioner is apprehending his arrest in a case registered
under Sections 399, 402 and 414 of the Indian Penal Code and
Sections-25(1-b)/A/26 and 35 of the Arms Act.

Allegedly, on the tip off, the informant along with police
personnel reached at the place of occurrence. Four miscreants are
said to have been arrested and four persons managed to escape. One
country-made pistol, one mobile, one .315 bore live cartridge and one
knife are said to have been 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 alleged to have been recovered from possession of co-accused. 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 recovery of arms from possession of the petitioner.

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 six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No. 340 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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