

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60181 of 2021**

Arising Out of PS. Case No.-117 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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VIVEK KUMAR @ MUKUL KUMAR Son of Uday Shankar Prasad Singh
@ Uday Singh R/ Vill. - Sagma, P.S.- Kashichak (Sahpur O P), District -
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

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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 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 25(1-b)a and 26 of the Arms Act.

The prosecution allegation, in short, is that one
country made pistol is 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 falsely been implicated in the



present case. One country made pistol is recovered in this case. The recovery is made from a line hotel alleged to be of the petitioner. The said line hotel has been closed for a long time. The petitioner was not present at the time of the occurrence. There is no incriminating articles recovered from the possession of the petitioner. There is no compliance of Section 100 of Cr.P.C.

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

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 Chief Judicial Magistrate, Sheikhpura in connection with Shekhopur P.S. Case No. 117/2021, G.R. No. 929/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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