

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6629 of 2021

Arising Out of PS. Case No.-318 Year-2019 Thana- BAIRIYA District- West Champaran

Bunnilal Yadav @ Bunnilal Kumar Yadav Son Of Yogi Yadav Permanent
Resident Of Village- Hat Saraiya, Ps- Bairiya, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma, Adv.

For the Opposite Party/s : Mr. APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in connection with Bairiya P.S. Case No. 318/19 registered for the offences punishable under Sections 25(1-b)a, 26 & 35 of the Arms Act.

It is alleged that during course of patrolling duty, the informant received secret information that five miscreants are assembled near Bairiya main road in Khirya Ghat Shiv Mandir for the purpose of committing crime. In the meantime, the

informant alongwith police party reached there. After seeing the police party, the miscreants tried to flee. Two were caught on chase. After search, country made pistol and live cartridges were recovered from the possession of apprehended persons and also disclosed the name of this petitioner, who is involved in crime with the apprehended persons.

It is submitted by the learned counsel for the petitioner that petitioner is innocent and has committed no offence. Nothing incriminating article was recovered from the conscious possession of the petitioner. Name of the petitioner disclosed by the co-accused persons who are apprehended by the police, which has no evidentiary value at all.

Learned A.P.P. for the State opposes the bail application.

In the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bairiya P.S. Case No.318/19, subject to the conditions as laid down

under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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