

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61542 of 2021

Arising Out of PS. Case No.-173 Year-2021 Thana- BIRAUL District- Darbhanga

SANJIT KUMAR Son of Suresh Yadav Resident of Village - Gadhiya, P.S.-
Nauhatta (Darhar O.P.), Dist.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-12-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

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 Section 414 of the Indian Penal Code and
25(1-b)a, 26 and 35 of the Arms Act.

The prosecution allegation, in short, is that country
made pistols and cartridges 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. Arms are said to have been recovered from the



possession of the co-accused. The name of the petitioner has transpired on the basis of disclosure made by the co-accused. There is no recovery of arms from the possession of the petitioner. Except for this, there is no other substantive evidence to suggest his implication in the present case. The petitioner has been made accused due to mistake of fact.

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 A.C.J.M. -II, Biraul, Darbhanga in connection with Biraul P.S. Case No. 173 of 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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