

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11217 of 2022

Arising Out of PS. Case No.-327 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

Santosh Jha, S/O Bahiru Pandit R/O Village- Sahwajpur Chakgaji, P.S.-
Ahiyapur, District- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Anjana
Mr. Sanjay Kumar @ S.K.
For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 399,
401, 402, 414 of the Indian Penal Code and Sections 25(1-b)a,
26 and 35 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the informant alleges
that he got secret information about some miscreants that they
were planning to commit crime and on this information, he
along with police force reached the place of occurrence near the
house of accused Rohit Kumar and found that some persons had
gathered there and on seeing the police, they tried to escape, but



two of the miscreants were apprehended, who disclosed their name as Mintu Kumar and Rohit Kumar and from their possession, a country-made pistol with live cartridges along with mobile phone were recovered.

The learned counsel for the petitioner submits that admittedly, the petitioner was not arrested from the spot and as such, nothing was recovered from his conscious possession and his name transpired in the confessional statement of co-accused which has no evidentiary value. It is next submitted that the petitioner on the day of occurrence was taking treatment at Delhi with regard to his ailment relating to kidney at Ganga Ram Hospital for which, he draws the attention of the Court to Para-11 of the anticipatory bail application.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Ahiyapur P. S. Case No.327 of 2021,



subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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