

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26262 of 2021

Arising Out of PS. Case No.-438 Year-2020 Thana- BARHARA District- Bhojpur

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Kulesh Singh S/o Dharichan Singh Resident of Village- Akouna, P.S.-
Barhara, Distt-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-02-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 385/34 of the Indian Penal Code and Section 25(1-B) a, 26, 35 of the Arms Act.

The prosecution case as per F.I.R is that the informant being a Police Officer, on receiving information that the accused persons are demanding and taking extortion from the boats loaded with sands near the bank of the river, raided the place and arrested one person who disclosed his name as Vijay Paswan. The apprehended accused disclosed the name of the petitioner as a person who fled away from the place of arrest. From the apprehended accused person



one country made loaded pistol was recovered.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot. Nothing was recovered from the conscious possession of the petitioner and due to previous enmity, co-accused Vijay Paswan named the petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, 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 learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Barhara P.S. Case No. 438 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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