

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17064 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- KOTWALI District- Munger

ANIL KUMAR MALAKAR @ ANIL MALAKAR Son of Late Hari Lal Malakar @ Late Hari Prasad Residnet of Mali Tola, P.S.- Kotwaali, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal, Adv

For the Opposite Party/s : Mr. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-08-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 25(1-b)a, 26(i)(ii), 35 of the Arms Act.

Allegedly, an old rusted country made pistol was recovered from an almirah kept at the baramdah of a building, which belongs to one Kiran Devi and the petitioner.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case with malicious intention. No



such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. He further submits that nothing has been recovered from the conscious possession of the petitioner. The said house belongs to the petitioner but he does not not reside there rather his sons have been residing in the said house. Petitioner has two criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no recovery from the conscious possession of the petitioner, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Kotwali P.S. Case No.46 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./

(Anjani Kumar Sharan, J)

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