

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19037 of 2022

Arising Out of PS. Case No.-258 Year-2021 Thana- NARPATGANJ District- Araria

1. MUNNA YADAV @ MANISH YADAV SON OF CHANDAR YADAV R/O VILLAGE- RAMGHAT, P.S.- NARPATGANJ, DISTRICT- ARARIA
2. ARUN YADAV @ ARUN KUMAR YADAV SON OF MAHESH YADAV R/O VILLAGE- RAMGHAT, P.S.- NARPATGANJ, DISTRICT- ARARIA
3. BECHAN YADAV SON OF LAXMI YADAV R/O VILLAGE- RAMGHAT, P.S.- NARPATGANJ, DISTRICT- ARARIA
4. AMRENDRA YADAV @ ABREND KUMAR YADAV SON OF MAHESH YADAV R/O VILLAGE- RAMGHAT, P.S.- NARPATGANJ, DISTRICT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 25(1-b)a, 26(1) (2) and 35 of the Arms Act.

The informant who is an A.S.I. alleges that on receiving information he reached the place of occurrence where the petitioners had caught one Bikesh and on arrival of the informant, petitioner no. 1 handed over arms and cartridges to the informant alleging that it was recovered from Bikesh but on



inquiry, it was found that Bikesh had taken his sister-in-law to the police station for getting an FIR instituted against the petitioners for which the petitioners tried to falsely implicate Bikesh by planting arms and ammunition, it is next alleged that since informant came to know about the truth as such the present FIR was instituted against the petitioners alleging that it were the petitioners who had illegal arms and ammunition.

Learned counsel for the petitioners submits that petitioners have antecedent of one case and have been falsely implicated in the present case, it is next submitted that it was Bikesh who managed the police in order to get the present false FIR instituted. Learned counsel next submits that the informant has alleged that earlier he received information that one accused has been apprehended on which he came and arms and ammunition were handed over to him by petitioner no. 1 stating that the same was recovered from Bikesh but still the informant falsely implicated the petitioners without any evidence.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that informant has very clearly alleged the facts in the case, it is further submitted that if the informant had to manipulate the case then the tenor of the allegation would not have been same as it has



been alleged.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Narpatganj P.S. Case No. 258 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

In the event, if after investigation police submits charge-sheet connecting the petitioner with the offence then the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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