

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20988 of 2022

Arising Out of PS. Case No.-126 Year-2020 Thana- RIGA District- Sitamarhi

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AJAY SAH @ AJAY KUMAR SON OF BINDESHWARI SAH @
BINDESHWAR SAH R/O VILLAGE- RIGA, EMALI BAZAR, P.S.- RIGA,
DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ritesh Kumar Narain Singh

For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Riga P.S. Case no. 126 of 2020 instituted for the offence
under Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per allegation in the FIR, on seeing the police
party, two accused persons started to fleeing away by
motorcycle but on chase one accused Santosh Kumar was
apprehended by them and on search one loaded pistol was
recovered from his possession. He disclosed the name of the
petitioner as his accomplice.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. The name of the petitioner has been disclosed in this case by the apprehended co-accused Santosh Kumar before the police, which has no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Riga P.S. Case no. 126 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-VI, Sitamarhi subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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