

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25137 of 2022

Arising Out of PS. Case No.-98 Year-2018 Thana- MINAPUR District- Muzaffarpur

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Jitendra Kumar Son Of Vishwanath Chaudhary R/O Village- Kolhua
Paigambarpur, P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jyotsna Rani Mishra

For the Opposite Party/s : Mr.Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-10-2022 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 Section 414/34 of the Indian Penal Code and Section 25(1-B)A/26/35 of Arms Act.

It is a case of recovery of one loaded country made pistol, a live cartridge and a mobile from the possession of co-accused Baidyanath Sahani and Lal Babu. The apprehended accused persons divulged the name of the petitioner and other co-accused



persons as the persons who were indulged in the commission of offence of road robbery.

It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and he has falsely been implicated in the present case. It is also submitted that the petitioner has neither concern with the accused persons nor with the seized incriminating articles and nothing has been seized from the conscious possession of the petitioner. It is further submitted that the petitioner has not been seen at the place of occurrence. The name of the petitioner is disclosed by the apprehended co-accused persons, which has got no evidentiary value in the eye of law.

In the facts and circumstance of the case, 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 Judicial Magistrate 1st Class, Muzaffarpur in connection with Minapur P.S. Case No. 98 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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