

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.37993 of 2021**

Arising Out of PS. Case No.-33 Year-2021 Thana- PUNAURA District- Sitamarhi

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UMESH @ UMESH KUMAR @ RAHUL S/O RAJENDRA MANDAL R/V-  
BASANTPUR PAKARI, P.S. RIGA, DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN  
ORAL ORDER**

2      28-02-2022      Heard the parties.

Learned counsel for the petitioner is directed to remove the defects as pointed out by the office within a period of four weeks. In the eventuality of non-removal of defects within the stipulated time, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case in connection with Punaura P.S. Case No.33 of 2021, registered for the offence punishable under Sections 414/120(B) of the Indian Penal Code and sections 25(1-b)a, 26, 35 of the Arms Act.

Allegedly, there is recovery of arms from the apprehended accused persons and they have disclosed the name of petitioner, as the person who is also involved in the arms business.

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. No such occurrence as



alleged has ever taken place. No incriminating articles has been recovered from the conscious physical possession of the petitioner. He has no concern with the recovered arms. The said arms have been recovered from the possession of the apprehended co-accused and only on his confession, petitioner has been made accused in this case. There is no specific allegation against the petitioner. Petitioner has no criminal antecedent, as also mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no recovery of arms from the 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 connection with Punaura P.S. Case No.33 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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