

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29410 of 2022

Arising Out of PS. Case No.-83 Year-2020 Thana- BIHARIGANJ District- Madhepura

Manish Kumar @ Manis Kumar Son Of Kailash Sharma R/O Village- Saroni,
Ward No.-11, P.S.- Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-10-2022 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 Bihariganj P.S. Case no. 83 of 2020 instituted for the offence under Sections 25(1-b)a, 26, 35 of the Arms Act.

As per allegation in the FIR, when the police party raided the house, where the petitioner along with his family members were making illegal Arms for selling, all family members on seeing the police party managed to escape from the house. Subsequently, the house of accused persons was searched in presence of two independent witnesses and the police officers recovered Arms and cartage, which were sized after making seizure list.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case by the police part which is not proper. It is further submitted that neither the petitioner was apprehended on spot nor the place of occurrence belongs to him. Petitioner is son of the other co-accused Kailash Sharma. He has got no criminal antecedent.

Learned APP appearing for the state has opposed the prayer of anticipatory 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 Bihariganj P.S. Case no. 83 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 J.M. 1st Class, Udakishunganj, Dist- Madhepura subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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