

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32099 of 2022

Arising Out of PS. Case No.-139 Year-2021 Thana- BAHADURGANJ District- Kishanganj

RIYAZUL S/o Late Muslim Resident of Village- Fulbari, P.S.- Bahadurganj,
District- Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the Office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 392, 511 of the Indian Penal Code
and Sections 25(1-b)A, 26, 27, 35 of the Arms Act.

The prosecution case, in short, is that the accused
persons, variously armed, with intention of robbing and were
breaking door of Lakhan Lal Singh but the local people on
hearing the sound of breaking of lock, surrounded the accused
persons and informed the police party who came and arrested
one of the accused persons who disclosed the name of accused



persons.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The name of the petitioner has transpired on the basis of disclosure made by the co-accused. Except for this, there is no substantive evidence to suggest his implication in the present case. The arms which is said to have been recovered has been recovered from the possession of co-accused and not from the possession of the petitioner. The petitioner has not been put on T.I.P. to ascertain his participation in the occurrence.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Bahadurganj P.S. Case No. 139 of 2021, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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