

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36085 of 2022

Arising Out of PS. Case No.-502 Year-2018 Thana- SITAMARHI District- Sitamarhi

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Madhurendra Kumar Mishra @ Munna Mishra Son Of Lallan Mishra R/O
Village- Kachaur, Ward No.-03, P.S.- Kanhauli, District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2022 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 Sections 25(a-b)a, 26, 35 of the Arms Act.

As per allegation in F.I.R. two persons were apprehended who disclosed their name as Rishi Jha and Aashish Sourabh. It is alleged that a loaded pistol with cartridges of 9 m.m, 12 live cartridges of 9 m.m. and two of 7.65 m.m. was recovered from the conscious possession of co-accused Rishi Jha @ Rishi Kumar. From the conscious possession of other co-accused Aashish Sourabh, one pistol with cartridges of 7.65 m.m. and 5 live cartridges of 9 m.m. and one loaded magazine of six cartridges were recovered.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and he has falsely been implicated in the present case. It is also submitted that neither the petitioner is apprehended from spot nor anything incriminating has been recovered from his conscious possession. The name of petitioner sprang up in this case on the basis of confessional statement of apprehended co-accused Rishi Jha. It is further submitted that petitioner is not named in F.I.R.

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, Sitamarhi in connection with Bodh Sitamarhi P.S. Case No. 502 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

nirajkrs/-

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