

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1367 of 2022

Arising Out of PS. Case No.-98 Year-2021 Thana- AURAI District- Muzaffarpur

Saroj Sah @ Saroj Kumar Sah S/O Ram Suhag Sah R/O Village- Sahbajpur
Kafen, P.S.- Hathauri, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Prakash Shharma

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-07-2022 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 399, 402 of the Indian Penal Code, Sections 25(1-B), a, 26 of the Arms Act and Sections, 20, 22 of the Narcotic Drugs and Psychotropic Substances Act.

The prosecution case as per F.I.R is that the informant received a secret information that 20-22 miscreants are planning to commit some offence. The informant along with other police personnel came and raided the place. The accused persons managed to flee



away but one of them namely Raja Kumar was apprehended from whom a country made pistol and a live cartridge along with 5 Kg 20 grams ganja like substance were recovered. He disclosed the name of the petitioner as one of his associates.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has been sprang up in this case only on the basis of confessional statement of the co-accused. The petitioner has no concern either with the apprehended accused or the seized contraband. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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 Sessions Judge-cum-Special Judge, Muzaffarpur in connection with Aurai P.S. Case No. 98 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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