

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11592 of 2023**

Arising Out of PS. Case No.-162 Year-2021 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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SANGRAM YADAV @ MIRTUNJAY SAHITYA Son of Mahesh Kumar @
Mahesh Yadav R/v- Gopi Bigha, P.S.- Magadh Medical, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No2, Adv Mr. Gajendra Kumar Singh, Adv
For the Opposite Party/s :		Mr. Binod Kumar No.3, APP

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

3 16-05-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 25(1-b), 26 and 35 of the Arms Act.

As per the FIR, after receiving a secret information, the informant went to the house of Mahesh Yadav. After seeing the police, two persons started escaping from the spot. It is alleged that one person got apprehended and he disclosed the name of the petitioner. It is alleged that several arms and ammunitions alongwith mobile phone and SIM card recovered from the possession of the apprehended person. A country made cartridge has also been recovered and when it was unloaded a live cartridge of 8 mm KF recovered from his chamber. A country



made loaded pistol also recovered from the house of co-accused Mahesh Yadav.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the name of the petitioner transpired in the present case only on the basis of confessional statement of apprehended co-accused. He further submits that similarly situated co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 19.10.2022 passed in Cr. Misc. No.26067 of 2022. Petitioner has four criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as similarly situated co-accused has been granted anticipatory bail, let the above named petitioner, be released on bail, in the event of his/her 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 Magadh Medical P.S. Case No.162 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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