

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30737 of 2023

Arising Out of PS. Case No.-412 Year-2022 Thana- SUGAULI District- East Champaran

SANDIP KUMAR @ BHULAN KUMAR S/O HARILAL MAHTO R/O
Village- Lamaunia, P.S- Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-07-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

This is an application for grant of anticipatory bail in
connection with Sugauli P.S. Case No.412 of 2022, registered
for offences under Sections 27 and 35 of the Arms Act.

The allegation is regarding a video clip having been
made viral, in which one person was seen firing from illegal
arms in an orchestra program and upon enquiry by the police,
the village chowkidar had disclosed that an orchestra program
had been organised in the house of one Jokhan Mahto where the
petitioner was brandishing and firing from his arms.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, he has been falsely implicated in



the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that no fire arms have been recovered from the possession of the petitioner or from his house and a bald allegation has been levelled, hence he be granted privilege of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that no arms have been recovered from the petitioner or from his house, apart from the fact that he is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Sugauli P.S. Case No.412 of 2022, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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