

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57705 of 2022

Arising Out of PS. Case No.-423 Year-2022 Thana- GAYA MUFASIL District- Gaya

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Chandan Kumar @ Chandan Yadav S/O Late Arjun Yadav Resident Of
Village- Salempur, P.S.- Mufassil, District- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. R.K. Rajesh, Advocate
		Mr. Kumar Kishna, Advocate
		Mr. Avinash Raushan, Advocate
For the Opposite Party/s :		Mr. Anita Kumari, A.P.P

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 30-01-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case registered for the offences punishable u/s 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, on seeing the police, the co-accused persons started fleeing away but they were apprehended by the police. On search, 7 live cartridges kept in a magazine was recovered from the tractor. At the instance of co-accused Pintu Kumar, an automatic pistol was recovered from the waist of the co-accused Shyamsundar Kumar, who was apprehended by the police. On being asked the apprehended



person disclosed that the said arms was given to him by the petitioner Chandan Kumar.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is accused in two other criminal antecedent as stated in para 3 of the bail petition. The petitioner is not the owner of the said vehicle. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has transpired on the basis of disclosure of the co-accused person.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Gaya Mufassil P.S. Case No. 423 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

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(Chandra Prakash Singh, J)

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