

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.867 of 2016

Arising Out of PS.Case No. -200 Year- 2015 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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Vikash Paswan Son of Dinanath Paswan, Resident of village- Nardarwa,
P.S.- Kalyanpur, District- East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar

For the Opposite Party/s : Mr. A.K.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 15-02-2016 Heard Sri Uma Kant Shukla, learned counsel, who
was assisted by Sri Pankaj Kumar, learned counsel for the
petitioner and Sri Anand Kishore Choudhary, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in Chakia
P.S. Case No. 200 of 2015 registered for the offence under
Sections 25(1-b)A and 26 of the Arms Act, 1959, has prayed for
grant of anticipatory bail.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the case. It was submitted
by Sri Shukla, learned counsel for the petitioner that nothing was
recovered from the conscious possession of the petitioner and as
such, it is a fit case for extending the privilege of anticipatory bail.

I have perused the F.I.R. and materials on record. In the F.I.R., it was disclosed that during checking, one motorcycle, bearing registration no. BR-050-5387, being driven by a person was there and after noticing the police after leaving the motorcycle, he fled away, but several persons, who gathered there, identified him as petitioner. After search, from the dicky of the said motorcycle, a pistol was recovered.

In view of the facts and circumstances, I am not inclined to extend the privilege of anticipatory bail. If the petitioner surrenders before the court below and makes a prayer for regular bail, the same may be examined without being prejudiced with this order.

The petition stands dismissed.

(Rakesh Kumar, J.)

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