

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2841 of 2019

Arising Out of PS. Case No.-628 Year-2018 Thana- MANER District- Patna

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Arun Kr. Rai @ Arun Rai, aged about 32 years (M), Son of Soharai Rai,
Resident of Village - Rewa Mahangu Tola (Balua), P.S. Maner, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Satish Chandra, Advocate.

For the Opposite Party : Mr.Rajeev Nayan (App 231)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 22-01-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

The prosecution story, in brief, is that when the
informant alongwith other police personnels raided, the
petitioner succeeded in fleeing away with the arms and
ammunition while his associate, namely, Muku Kumar was
caught and from his possession, a country made pistol and a live
cartridge were recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the



witnesses alleged against the petitioner. Except for, confessional statement of co-accused, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no recovery of arms from conscious possession of the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R and he has criminal antecedent.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Maner P.S. Case No. 628 of 2018, pending in the court of learned J.M. Ist Class, Danapur. Anyhow, if the petitioner surrenders and prays for regular bail in the learned court below, the same shall be considered on its own merit without being prejudiced by this order of the Court preferably on the same day.

(Sudhir Singh, J)

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