

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27930 of 2019

Arising Out of PS. Case No.-354 Year-2018 Thana- PIRO District- Bhojpur

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Nirbhay Chaudhary @ Gidik Chaudhary @ Gidik, Aged about 32 years,
Male, Son of Late Jitan Chaudhary, Resident of Jamunipur, P.S. Piro (Hassan
Bazar), District Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-04-2019 Heard both sides.

Petitioner apprehends his arrest in Piro (Hasan Bazar)

P.S. Case No.354 of 2018, registered under Sections 25(1-B)A,
26 and 35 of the Arms Act.

The police got information that two persons having
arms and ammunition in their possession were sitting near the
temple. When the police went to verify the information, two
persons started fleeing away. One of them was apprehended.
The apprehended accused disclosed his name as Om Prakash.
He disclosed that Nirbhay Chaudhary, the petitioner, managed to
flee away. On search, loaded country made pistol, live cartridges
etc. were recovered from possession of Om Prakash. Om
Prakash also disclosed that it was petitioner who has handed



over the arms and ammunition to him.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot and nothing has been recovered from possession of the petitioner. The name of the petitioner surfaced in the case on the disclosure made by Om Prakash but it appears from the FIR itself that the police got information that two persons including the petitioner were sitting near the temple and they were armed with firearms but when the police arrived there, the petitioner managed to flee away.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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