

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46393 of 2019

Arising Out of PS. Case No.-134 Year-2019 Thana- SHERGHATI District- Gaya

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ASHUTOSH KUMAR SINGH @ ASHU SINGH S/o Girjanandan Prasad
Singh @ Girija Nandan Singh Resident of Sidharthpuri Colony, P.S.-
Muffasil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 20-11-2019 Heard both sides.

The petitioner apprehends his arrest in Sherghati (Dobhi) P.S. Case No.134 of 2019 registered under Sections 279, 414 and 34 of the Indian Penal Code and under sections 25(1-b)a, 26 and 35 of the Arms Act.

The informant disclosed that one person, who was driving the vehicle, lost control over the vehicle and met with an accident. Three persons were sitting on the vehicle and arms and ammunition were with them but after accident all the three persons managed to flee away. The informant reached there and seized the vehicle. On search, four live cartridges were recovered from inside the vehicle and three live cartridges were recovered from the bush, nearby place of the accident.



Learned counsel for the petitioner submits that the petitioner is of course owner of the vehicle but nobody has seen the petitioner carrying any arm. Unfortunately, the petitioner met with an accident and got injuries. The petitioner went for treatment but somebody might have placed cartridges inside the vehicle in order to implicate the petitioner. The petitioner has got no criminal antecedent but it appears that the petitioner being owner of the vehicle was driving the vehicle and from inside the vehicle, cartridges were recovered.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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