

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14638 of 2020

Arising Out of PS. Case No.-283 Year-2015 Thana- FATUA District- Patna

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VIRENDRA KUMAR @ BADU GOPE @ VIRENDRA SINGH Son of
Sundar Singh Resident of Village - Momindpur, P.S.- Fatwah, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anurag Anand

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Sri Aditya Narayan Singh No. 1, the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Fatwah P.S. Case No. 283 of 2015 registered for the offence punishable under Sections 25(1-B)/26/35 of the Arms Act.

The case of the prosecution in brief is that on



23.6.2015, the informant and other police personnel had reached at N.H.-30 (village Buddhu Chak) and commenced checking, whereupon a white Scorpio vehicle was seen reversing the vehicle in great speed and trying to flee away, however, the said vehicle was apprehended, nonetheless, three persons had managed to flee away from the said vehicle, but other accused persons were arrested. It is further alleged that upon interrogation of the arrested persons, they had disclosed the names of the persons, who had fled away and one of them is the petitioner herein. It is also alleged that upon search of the arrested accused persons, pistol, mobile phone, live cartridge etc. were recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that neither any incriminating article has been recovered from the petitioner nor there is any allegation of the petitioner having committed



any sort of crime.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that there is no allegation of commission of any sort of crime as against the petitioner herein, apart from the fact that the petitioner is having a clean antecedent and no incriminating articles have been recovered from him, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna in connection with Fatwah P.S.Case No. 283 of



2015, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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