

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85464 of 2019

Arising Out of PS. Case No.-489 Year-2018 Thana- BAKHTIYARPUR District- Patna

BITTTU KUMAR @ ANURAG KUMAR Son of Jalgovind Rai @ Jalgovind
Singh Resident of Village - Ghoswari, P.S.- Bakhtiarpur, Distt - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bakhtiarpur P.S. Case No. 489 of 2018 for the offence registered
under Sections 25(1-B)A, 26 and 35 of the Arms Act.

The allegation is regarding the Police having received
secret information that the accused persons along with their
associates were sitting at the place of occurrence and hatching a
plan to commit crime whereafter the Police had raided the said
place and one loaded country made pistol was seized from the
co-accused person, namely, Dhamiya @ Dharamveer and
another country made loaded pistol was seized from the co-
accused person, namely, Mohan Rai and two live cartridges
were seized from the pocket of co-accused, namely, Manish



Kumar, however, it is alleged that the petitioners and other co-accused persons managed to flee away.

The learned counsel for the petitioner has submitted that three of the co-accused persons have already been granted bail by the learned court below, however, since the petitioner had approached this Court for grant of anticipatory bail, which was subsequently rejected, the learned trial court has rejected the prayer of the petitioner for grant of regular bail. It is further submitted that the petitioner has neither committed any crime nor any recovery has been made from the petitioner as far as illicit arms are concerned and he has been falsely implicated in the present case. Lastly, it is submitted that the petitioner is languishing in custody since 09.10.2019.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioner and taking into account the fact that neither any allegation has been levelled against the petitioner regarding commission of any sort of crime nor any recovery of illicit arms has been made from the petitioner, I deem it fit and proper to direct the petitioner herein to be released on bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/-



(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Barh, Patna in connection with Bakhtiarpur P.S. Case No. 489 of 2018.

(Mohit Kumar Shah, J)

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