

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33145 of 2020

Arising Out of PS. Case No.-13 Year-2019 Thana- LUTUA District- Gaya

Raj Kishore Verma @ Kishore Prasad Son of Sri Bhuneshwar Prasad Resident
of Village - Pakri Guria, PO and PS - Imamganj, Distt. - Gaya, Pin Code -
824206

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

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

Allegedly, one country made pistol, 75 pieces of live
cartridge of 315 bore and 32 pieces of live cartridge of 7.62x 45
bore are recovered in this case.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The



petitioner has been made accused in the present case due to mistake of fact. The name of the petitioner has transpired in this case on the basis of disclosure made by co-accused. There is no recovery of arms from possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Lutua P.S. Case No. 13 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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