

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1833 of 2022

Arising Out of PS. Case No.-325 Year-2021 Thana- TAJPUR District- Samastipur

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VIJAY KUMAR RAY SON OF PRAMANAND RAY Resident of Village -
Gadopur Ward No.9, P.s.- Tajpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Adv.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in connection with Tajpur P.S. Case No.325 of 2021, registered for the offence punishable under Sections 25(1-b)(a), 26, 35 of the Arms Act.

Allegedly, there is a recovery of pistol, live cartridges from the FIR named accused persons apprehended on the spot. They have also taken the name of petitioner as their associate.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Petitioner has neither been apprehended on the spot nor any recovery has been made from his conscious physical possession. Only on the basis of the confessional statement of the apprehended co-accused, he has been made accused in this case. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that it has come in the impugned order that the apprehended accused were going to deliver the arms to the petitioner and that the petitioner has demanded the same for committing an offence of '*loot*'.

Having regard to the facts and circumstances of the case, considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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