

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18020 of 2022

Arising Out of PS. Case No.-97 Year-2021 Thana- BADHAILA District- Rohtas

1. NAGA KUMAR @ NAGINA SINGH Son of Bashistha Singh @ Munna Singh Resident of Village - Siyawank, P.S.- Baghaila, District - Rohtas.
2. Raghu Nandan Kumar @ Raghunandan Singh Son of Bashistha Singh @ Munna Singh Resident of Village - Siyawank, P.S.- Baghaila, District - Rohtas.
3. Ajit Singh Son of Bashistha Singh @ Munna Singh Resident of Village - Siyawank, P.S.- Baghaila, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 25(1-b), 26 and 35 of the Arms Act.

The informant alleges that on 12.12.2021 at 01:15 pm, he conducted a raid with respect to Case No. 96 of 2021 as he had information that accused Bashishtha Singh, who was related to the said case, had kept firearm also at his house, accordingly the house of Bashishtha Singh was raided and a country-made gun along with one live cartridge and 23 empty cartridges were found.



Learned counsel for the petitioners submits that petitioner nos. 1 and 2 have antecedent of two cases and petitioner no. 3 has antecedent of one case and they have been falsely implicated in the present case, it is next submitted that father of the petitioners has been implicated in cases and since FIR has been instituted against their father relating to different cases, the petitioners have also been made accused along with their father in those cases. Learned counsel submits that admittedly the informant had information that Bashishtha Singh had kept firearms and cartridges in house based on which raid was conducted, it is further submitted that even presuming what has been alleged is true, without admitting for the purposes of anticipatory bail, then the allegation hinges around Bashishtha Singh and the petitioners have been implicated merely because they are son of Bashishtha Singh.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that the case is still under investigation.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Baghaila P.S. Case No. 97 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

In the event, if the police after investigation submits charge-sheet connecting the petitioners with the offence then the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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