

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20827 of 2022**

Arising Out of PS. Case No.-84 Year-2020 Thana- PANDARAK District- Patna

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Tripurari Kumar S/O Prabhat Kumar Singh, Resident of Village- Pandarak,  
P.S. - Pandarak, District – Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Choudhary, Advocate.

For the Opposite Party/s : Mr. Rabindra Kumar, APP.

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

2      25-07-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Pandarak P.S. Case No. 84 of 2020 lodged under Sections  
307/34 of the Indian Penal Code read with Section 25(1-B)a,  
26/27/35 of the Arms Act.

The prosecution case is that, the S.H.O. upon  
receiving an information that named accused Anna Singh and  
his relatives are making fire, the Police party reached there and  
caught 2 persons from whose possession loaded pistol and live  
cartridges were recovered. The name of present petitioner has  
not figured in the F.I.R.

Learned counsel for the petitioner submits that  
though, name of the petitioner is not figured in the F.I.R. and his

name has disclosed by the injured namely Vikesh Kumar. Learned counsel for the petitioner submits that petitioner is in custody since 02.03.2022 and having no criminal antecedent.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant appeared in this case and submits that in the case diary huge material has come against the present petitioner, therefore, call for case diary and vehemently opposes the prayer for bail.

From the F.I.R. itself it transpires that there is absolutely no allegation against the petitioner particularly when both petitioner and informant are resident of the same village nor any arms was alleged to be recovered meaning thereby that upon going through F.I.R. neither evidence of Section 307/34 I.P.C. nor Section 27 of Arms Act is made out as per the allegation made in the F.I.R.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Barh, Patna in connection with Pandarak P.S. Case No. 84 of 2020, subject

to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands  
allowed.

**(Dr. Anshuman, J.)**

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