

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22768 of 2022

Arising Out of PS. Case No.-49 Year-2022 Thana- SHAMBHUGANJ District- Banka

1. WITESH KUMAR S/O PRATAP NARAYAN SINGH R/o village- Jhakhra, P.S.- Shambhuganj, District- Banka
2. Bhashkar Nand Thakur S/o Aditya Nand Thakur R/o village- Jhakhra, P.S.- Shambhuganj, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Priyedarshi

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-09-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable and u/s 25(1-b)a, 26(B) of Arms Act.

As per the prosecution case, these petitioners along with other accused persons kept arms and ammunition in the dickey of motor cycle bearing No. BR10A/B9182 and lodged false case vide Shambhuganj PS case No. 239/2021 against one Mukesh Yadav and others.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case by the informant with a view to save his skin from Shambhuganj PS case No. 239/ 2021. No arms and ammunition



has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery.

Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that there is direct and specific allegation against the petitioners that they kept arms and ammunition in the dickey of motor cycle bearing No. BR10A/B9182 and lodged false case vide Shambhuganj PS case No. 239/2021 against one Mukesh Yadav and others. petitioners have got criminal antecedent of similar nature.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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