

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30456 of 2022

Arising Out of PS. Case No.-556 Year-2021 Thana- SAUR BAZAR District- Saharsa

BALESHWAR SINGH @ BALESHWAR PRASAD SINGH Son of Bhawani
Prasad Singh Resident of Village - Rauta Khem, Ward no.13, P.s.- Saur Bazar,
Distt.- Saharsa, Bihar 852221

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate
For the Opposite Party/s : Mr. Gulnar Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 25(1-B) (a), and 26 / 35 of the Arms Act.

The informant alleges that he received a secret information that veteran criminal, Devanand Yadav, along with his associates have assembled at village Routakhem, accordingly, the informant reached the P.O. but Devanand along with his associates, on seeing the police force, fled leaving behind the Scorpio as it did not start, further, the vehicle was apprehended from which a loaded pistol along with 45 cartridges were recovered.



Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is aged about 78 years. Learned counsel further submits that the petitioner has been falsely implicated in the present case, it is next submitted that he was not arrested from the place of occurrence rather the informant further alleges that he again received a secret information at 4:30 am and based on the secret information, reached the house of Baleshwar Singh (petitioner) and found that one person after seeing the police was trying to flee away. He was chased but taking advantage of the darkness he fled and, thereafter, the house of the petitioner was searched and one loaded country-made revolver along with 6 cartridges were recovered from beneath the bed.

Learned counsel next submits that it absolutely does not stand to reason that a person aged 78 years after seeing the police will manage to escape. Learned counsel further submits that a person who is now nearing his grave and has remained a person with clean antecedent all through out has been made a criminal by alleging that arms and cartridges were found beneath his bed, it is thus submitted that the allegation does not inspire confidence.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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. 10,000/- (Rupees Ten Thousand) 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 Saur Bazar P.S. Case No. 556 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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