

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32506 of 2022

Arising Out of PS. Case No.-118 Year-2022 Thana- AHIYAPUR District- Muzaffarpur

BRAJ KISHORE BHAGAT S/o Late Nathuni Bhagat Resident of Village-
Kolhua Chauk, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Kumar Paswan, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-11-2022 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 8/20(b)(ii) (B) of the N.D.P.S. Act & 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that Sonu and Vishal were arrested along with loaded pistol and Charas, further on their disclosure house of Chandan was raided from where two persons were arrested and one managed to escape, the arrested persons disclosed their names as Chandan and Anchalesh, further they disclosed the name of the petitioner who fled, it is next alleged that petitioner is father of Chandan and from house of petitioner a single barrel loaded



gun along with 8 empty cartridges were recovered and from Anchalesh rented house a loaded pistol was recovered.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the F.I.R, it would manifest that the informant alleges that on disclosure made by the apprehended accused, the house of Chandan was raided from where arms and 8 empty cartridges were recovered and the person who fled was father of Chandan.

Learned counsel for the petitioner next draws the attention of the Court to para 7 of the anticipatory bail application to submit that the alleged gun which was recovered from the house of Chandan is in the name of Nathuni Bhagat who is father of the present petitioner and from perusal of the license at page 23, it would manifest that the same records the name of the petitioner as one of the retainers of the arms.

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 Ahiyapur P.S.
Case No. 118 of 2022 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

