

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36351 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- KASHICHAK District- Nawada

PRADIP KUMAR Son of Rajendra Prasad Chaudhary Resident of Village -
Bhatta, P.S.- Kashichak, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Kashichak P.S. Case no. 22 of 2022 instituted for the
offence under Sections 25(1-b)/26/35 of the Arms Act.

Prosecution case relates to recovery of one country
made pistol and four live cartridges from the house of the
petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. He has falsely been
implicated in this case. It is further submitted that the wife of
this petitioner has already been apprehended with above
mentioned arms at the place of occurrence and the offence as



alleged is not made out against this petitioner. The name of the petitioner has been disclosed in this case by the co-accused, namely, Rubi Devi who was arrested on spot. It is further submitted that petitioner was working in the private factory in Delhi for livelihood and neither the petitioner was arrested on spot nor any incriminating weapons have been recovered from his conscious possession.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Kashichak P.S. Case no. 22 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Nawada subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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