

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46933 of 2021

Arising Out of PS. Case No.-438 Year-2020 Thana- SAHPUR District- Bhojpur

RAM PUKAR RAI Son of Late Chand Gobind Rai Resident of Village -
Bahoranpur Tikapur, P.S.- Shahpur, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Bihari Singh, Adv.

For the Opposite Party/s : Mr.Pradeep Narain Kumar. APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-04-2022 Heard learned counsel for the petitioner and learned APP
for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in connection with Shahpur P.S. Case No.438 of 2020, G.R. No.6240 of 2020, registered for the offence punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

Allegedly there is a recovery of 15 live cartridges from the possession of one Risham Kumar and on his statement, the name of other accused persons as the member of the syndicate has transpired in the case. It is alleged that the petitioner and



others are also the member of the syndicate who used to purchase and sell the illegal arms.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. Petitioner has no concern either with the seized arms or has any trade of arms. There is no recovery from the conscious physical possession of the petitioner. On the confessional statement of the co-accused, the petitioner has been made accused in this case. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the petitioner is an active member of the said syndicate who are involved in sell and purchase of the illegal arms.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner named above. The prayer for grant of anticipatory bail to the petitioner is rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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