

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38642 of 2022

Arising Out of PS. Case No.-622 Year-2021 Thana- AMARPUR District- Banka

Raj Kumar Singh @ Rajkumar Kumar @ Rajkumar Tanti S/O Ajit Singh
Resident of Village- Kusumkharpur, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2022 Learned counsel for the petitioner is permitted to
make some correction in para 01 of the petition.

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 Amarpur P.S. Case no. 622 of 2021 instituted for the
offence under Sections 402, 399 of the Indian Penal Code and
Section 25(1-B)A, 26 and 35 of the Arms Act.

The allegation against the petitioner is that the
petitioner along with other co-accused persons were planning
for committing crime and after seeing the informant they were
manged to flee away but one person apprehended on spot. It is
further alleged that some illegal arms were recovered from the



place of occurrence.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that the name of the petitioner has been disclosed in this case on confessional statement of other co-accused namely, Paras Kumar who was apprehended on the spot, which has no evidentiary value in the eye of law. The recovered country made pistol and live cartridges from the possession of apprehended co-accused and neither this petitioner has been arrested nor any incriminating article has been recovered from his 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 Amarpur P.S. Case no. 622 of 2021, 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 Sessions Judge, Banka subject to



the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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