

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.660 of 2022

Arising Out of PS. Case No.-131 Year-2021 Thana- TEKARI District- Gaya

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DHANANJAY KUMAR @ DHANANJAY YADAV Son of Balmiki Prasad
Resident of Village - Karhara, P.s.- Tekari, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-08-2022 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, 26 and 35 of the Arms Act.

The informant, a police official, alleges that on 27.03.2021 at 4:30 pm, while he was on patrolling duty with his team, he received a secret information that near the house of Dhananjay Kumar (petitioner) in an open lane, a motorcycle is parked in which certain firearms are kept, accordingly the informant reached the place of occurrence and in presence of two independent witnesses, one country made pistol along with two life cartridges were duly seized from the motorcycle.

Learned counsel for the petitioner submits that the



petitioner is a person with clean antecedent and has been falsely implicated in the present case, the motorcycle was parked outside the house of the petitioner. It is further submitted that since the house of the petitioner was near the place of occurrence and if the petitioner intended to keep arms then why he would have kept the arms in the motorcycle and that too not in the dickey so that it could be easily located and searched. Learned counsel next submits that it appears that either the petitioner has been falsely implicated on account of his antecedent under the Excise Act or someone inimical to him had kept the firearm in the fibre of the motorcycle and thereafter informed the police because it absolutely does not stand to reason that as to why the petitioner would have kept the arms in the motorcycle and not in his house.

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 Court below 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 court below where the case is pending/successor court in connection with Tekari (Panchanpur O.P.) P.S. Case No. 131 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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