

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2456 of 2023

Arising Out of PS. Case No.-607 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

ABHISHEK KUMAR SON OF SUBODH KUMAR SINGH R/O VILLAGE-
BADALPURA, P.S.- MATIHANI, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 4495 of 2023

Arising Out of PS. Case No.-607 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

RAJ BHARDWAJ @ RAJ S/o Ranjit Kumar R/v- Maniappa, P.S.- Matihani,
District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 2456 of 2023)

For the Petitioner/s : Mr.Yogesh Chandra Verma, Sr. Adv.
Mr.Ashok Kumar, Adv.

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

(In CRIMINAL MISCELLANEOUS No. 4495 of 2023)

For the Petitioner/s : Mr.Yogesh Chandra Verma, Sr. Adv.
Mr.Ashok Kumar, Adv, Adv.

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-05-2023 As both the cases arises out of the same police station case numbers, they are being taken up and disposed of by this common order.

Heard learned counsel for the parties.

Petitioners apprehend their arrest in connection with Begusarai Town P.S. Case No.607/2021, registered for the



offence punishable u/s 25(1-b)a/ 26 of the Arms Act.

As per the prosecution case, the police recovered 4 live cartridges from a rented room of the petitioners and other accused person.

It is submitted by learned Senior Counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. They have been made accused in this case on the basis of confessional statement of the co-accused Gulshan Kumar and recovery of live cartridges has been made from a room taken on rent by co-accused Gulshan Kumar, with whom, petitioner has no concern. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. No incriminating article has been recovered from the conscious physical possession of the petitioners. They have one criminal antecedent for offences u/s 392, 411 of IPC.

Learned APP for the State opposed the prayer for bail by submitting that petitioners are also involved in the present case.

Having regard to the facts and circumstances of the case and considering the nature of allegation and that petitioners were earlier involved in a case u/s 392, 411 of the IPC, I am not



inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

Both these applications are accordingly dismissed.

However, petitioners are at liberty to surrender before the learned court below within a period of six weeks from today and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

pallavi/-

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

