

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4567 of 2023

Arising Out of PS. Case No.-267 Year-2022 Thana- KHODAWANDPUR District- Begusarai

ARVIND KUMAR @ BAUA LAUA Son of Lalan Paswan Resident of
Village- Ward No.-89, Khodawandpur, P.S.- Khodawandpur, District-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Khodawandpur
P.S. Case No. 267 of 2022 registered for the offences punishable
under Sections 25 (1-b) a/26 (I), 35 of the Arms Act pending in
the Court of learned Sub Divisional Judicial Magistrate,
Manjhaul.

Allegation against the petitioner is that, after seeing
the police he along with other persons started fleeing away from
the place of occurrence. When they were chased, one person,
Ramanand Kumar was arrested and upon interrogation, he
disclosed the name of the petitioner.

Learned counsel for the petitioner has submitted that
the petitioner has falsely been implicated in this case due to
ulterior motive. He submits that the name of the petitioner was



disclosed by the co-accused namely, Ramanand Kumar with malafide intention to harass him. He further submits that there is no criminal antecedent against the petitioner as mentioned in para 3 of this application.

Learned APP for the State vehemently opposing the bail petition submitted that specific overt act has been attributed against the petitioner. He further submits that one country-made pistol and live cartridge has been recovered from one of the associates. Hence, the petitioner does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the fact that there is incriminating material against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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