

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11270 of 2023

Arising Out of PS. Case No.-202 Year-2021 Thana- LAHERIMUHALLA District- Nalanda

Arvind Kumar @ Arbind Kumar Choudhary @ Arbind Choudhary Son Of
Mithilesh Choudhary Resident Of Village- Kakaila, P.S. And District-
Nalanda, Bihar- 803111

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Laheri P.S.
Case No. 202 of 2021 registered for the offences punishable
under Sections 341, 323, 342, 447 and 34 of the Indian Penal
Code and Sections 25(1-B)a, 26 and 35 of the Arms Act,
pending in the Court of learned Chief Judicial Magistrate, Bihar
Sharif (Nalanda).

As per the prosecution case, the informant got
information that Guru Mafia along with other 4-5 persons
beating one boy and taking pistol in his hand. It is further
alleged that police party reached there and they saw some
person beating a boy and after seeing the police party they fled
away and fired also and one person was apprehended.

Learned counsel for the petitioner submits that no



such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is not named in the FIR but during the investigation some electronic evidence came against the petitioner. Petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted that the petitioner is also involved in the present case.

Considering the facts and circumstances of case and the fact that petitioner is also involved in the present case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order considering the fact that no firearm was recovered from the conscious possession or the house of the petitioner.

(Anjani Kumar Sharan, J)

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