

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15407 of 2023

Arising Out of PS. Case No.-96 Year-2022 Thana- KINJAR District- Jehanabad

SUJEET KUMAR Son of Ranjeet Yadav R/V- Navahi Ps- Naubatpur Dist-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act pending in the learned court below.

As per the prosecution case, when the informant along with other police personnel was checking vehicle. In that course, two Scorpio loaded with illegal arms were seen coming towards Kinjar. They signaled to stop the vehicles but driver and sitting person of one of the Scorpio were managed to escape. From the Scorpion fire arms ammunition and mobiles were seized and seizure list were prepared. Allegation against the petitioner is that he along with other co-accused persons used to run illegal trade of arms and ammunition in the locality.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that two persons apprehended by the police who disclosed the name of the petitioner that the petitioner is the driver of the one of the seized Scorpio. He submits that there is no specific overt act against the petitioner. He further submits that there is no incriminating article has been recovered from the conscious possession of the petitioner. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Kinjar P.S. Case No.96/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Learned Court below is directed to verify the earlier criminal antecedent of the petitioner. If any criminal antecedent



is found against the petitioner, the bail bond of the petitioner shall not be accepted by the learned Court below.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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