

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25422 of 2023

Arising Out of PS. Case No.-507 Year-2022 Thana- KONCH District- Gaya

1. GUNJAN KUMAR @ KUNJAN KUMAR @ GUNJAN Son of Binod Kumar @ Binod Sharma Resident of Village - Tankuppa, P.S.- Konch, District - Gaya.
2. Kundan Kumar @ Raushan Kumar Son of Binod Kumar @ Binod Sharma Resident of Village - Tankuppa, P.S.- Konch, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 307, 353, 337, 427, 332 and 504 of the Indian Penal Code read with Sections 25(1-b)a, 26 and 35 of the Arms Act and Section 37(2) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that Mantu Sharma was arrested with pistol and was found drunk, it is further alleged that some accused persons gathered and pelted stone injuring a Constable and damaged



Police SLR with a view to flee Mantu from the custody of police.

Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession, it is next submitted that even allegation of assault is not specific and the injury suffered by the policemen is simple in nature and is on non-vital part of the body. Learned counsel for the petitioner at the cost of repetition submits that the petitioner is a person with clean antecedent and allegation under Arms Act is not specific against the petitioner.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Konch P.S. Case No. 507 of 2022 subject to the conditions as laid down



under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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