

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26352 of 2023

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

SHIV PRAKASH @ BABU Son of Aaditya Singh Resident of village-
Tankuppa, Police Station-Konch, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

learned A.P.P. for the State.

The petitioner apprehends his 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 and under Section 25(1-b)a, 26 and 35 of the Arms Act and under Sections 37(2) and 45 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that a video became viral on social media that one person was showing pistol, accordingly, the police reached the place of occurrence where one Mantu Sharma



was arrested who was drunk and had also kept arms, it is next alleged that the accused persons including the petitioner came in order to get Mantu Sharma released from police custody in which there was a scuffle leading to injury.

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

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court 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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