

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26333 of 2023

Arising Out of PS. Case No.-7 Year-2023 Thana- MAIN P.S. District- Gaya

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RAMESH KUMAR SON OF VIJAY MAHTO @ VIJAY KUMAR SINGH
RESIDENT OF VILLAGE- SHAMSHARA, PS- MAIN, DISTT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate

For the Opposite Party/s : Ms.Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-07-2023 Heard the learned counsel for the petitioner and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Main PS case no. 07 of 2023, registered for
the offences punishable under Sections 25(9) and 27 of the
Arms (Amendment) Act.

The allegation is regarding a video footage having
been made viral showing the petitioner receiving a pistol from
the co-accused person namely Shyam Kishore Verma.

The learned counsel for the petitioner submits that
the petitioner is innocent and he has been falsely implicated in
the present case. The petitioner is said to be an accused in two
other cases but he is on bail in the said two cases. The learned
counsel for the petitioner has further submitted that merely on



the basis of a video footage, the petitioner has been made an accused in the present case, however, the fact is that the co-accused person namely Shyam Kishore Verma is the main accused who is having complicity in the matter, inasmuch as, upon his house being raided, arms were recovered and moreover, he is behind bars.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that no arms have been seized from the house of the petitioner and in fact, arms have been recovered from the possession of the co-accused person namely Shyam Kishore Verma, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of



learned Additional Chief Judicial Magistrate-IV, Gaya in connection with Main PS case no. 07 of 2023, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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