

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32256 of 2023

Arising Out of PS. Case No.-236 Year-2022 Thana- NASRIGANJ District- Rohtas

SATYAM KUMAR @ BABI S/o- MAHENDRA SINGH Village- Alinagar
Ps- Tilauthu Dehri Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alka Singh

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

1. The petitioner is apprehending his arrest in connection with Nasriganj P.S. Case No. 236 of 2022 registered for the offences punishable under Sections 25(1-b)a/26 of the Arms Act.

2. As per prosecution case, there is alleged recovery of one country made pistol alongwith one live cartridge and one mobile phone from the possession of co-accused Deepak Kumar Sharma.

3. Learned counsel for the petitioner submits that petitioner is not named in F.I.R. and his name has been transpired in this case upon the confessional statement of co-accused which has no evidentiary value in the eye of law. Except confessional statement of co-accused, there is nothing on record to demonstrate



the complicity of the present petitioner with the alleged occurrence. He further submits that nothing has been recovered from the possession of the petitioner and he was not apprehended on the spot. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent.

4. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bikramganj, Rohtas in connection with Nasriganj P.S. Case No. 236 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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