

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38752 of 2023

Arising Out of PS. Case No.-247 Year-2022 Thana- BARHARIA District- Siwan

Krishna Ram @ Krishna Kumar Ram Son Of Mangal Ram Resident Of
Village - Padarauna, P.S.- Barharia, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 25(1-A), 25(1-B)a, 26 of the Arms Act.

3. As per FIR, one semi manufactured country made pistol, hammer set, handle, screw driver and one smart phone have been recovered from the house of the co-accused Mangal Ram.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the name of the petitioner has come at the instance of local Chowkidar with whom petitioner has got land dispute. He submits that the co-accused Mangal Ram from whose possession alleged articles were recovered has already



been granted bail by the learned court below. He submits that there is no specific overt act against the petitioner. He further submits that petitioner has one criminal antecedent as stated in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the nature of offence, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Barharia P.S. Case No. 247 of 2022.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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