

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47275 of 2023

Arising Out of PS. Case No.-91 Year-2023 Thana- KHAGAUL District- Patna

AKASH KUMAR @ AMAN KUMAR @ AMAN KUMAR MURTI Son of
Vijay Kumar Resident of village-Rampur, Garikhana, P.S.-Khagaul, District-
Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 25(1b)a, 35 of the Arms Act.

3. Allegedly, on the basis of the secret information, the informant along with other officials conducted raid at the house of co-accused Sudhir Kumar and recovered one country made pistol. Co-accused Sudhir Kumar was also arrested and disclosed that the pistol was given to him by the petitioner and two other co-accused persons.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no



offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. No incriminating article has been recovered from the house of the petitioner. His name has been transpired in the present case merely on the basis of the confessional statement of the apprehended co-accused. Similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court vide order dated 23.08.2023 in Criminal Miscellaneous No. 53878 of 2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, similarly situated co-accused has been granted anticipatory bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) 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 Khagaul P.S.
Case No. 91 of 2023, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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