

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49509 of 2023

Arising Out of PS. Case No.-26 Year-2022 Thana- TISIAUTA District- Vaishali

Santosh Kumar Son of Pawan Ram R/O-Raghopur East, P.S.-Judawanpur,
Distt.-Vaishali. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-08-2023 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 414 and 120B of the Indian Penal Code and Section 25 (1-b)a, 26 & 35 of the Arms Act.

3. The allegation against the petitioner is that he had supplied pistol and the desi katta to one of the co-accused Ravi Kumar, who was apprehended by the police along with others.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to high handedness of the police. It is further submitted that there is no evidence on record, except the confession of a co-accused, to show that the seized arms belongs to the petitioner. As a matter of fact, Ravi Kumar (accused) is an employee of the petitioner



and he had some disputes regarding the amount of work and wages/salary, hence the said Ravi Kumar with a motive to falsely implicate this petitioner in this case has taken his name in his confessional statement, which has no evidentiary value in the eye of law. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, 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 Tisiauta P.S. Case No. 26 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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