

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49453 of 2022

Arising Out of PS. Case No.-257 Year-2021 Thana- HATHUA District- Gopalganj

ANAND KUMAR RAI S/o Keshav Rai Resident of Village- Chainpur, P.S.-
Hathua, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv.

Mr.Ram Niwas Prasad, Adv.

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-01-2023 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defect (s), as pointed out by the office, within a period of four weeks.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 25(a-b)a, 26, 35 of the Arms Act.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent person and has committed no offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence as alleged ever took place. Neither the petitioner was caught on spot nor anything has been recovered from his conscious possession. There is no specific allegation against the petitioner. The entire prosecution story is false, fabricated and concocted. It is further submitted that petitioner has a valid arms



licence for the acquisition possession and carrying of arms and ammunition for the spot protection display because the petitioner is a Military man. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the petitioner is an Army man, 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 Hathua P.S. Case No. 257 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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