

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54313 of 2023

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

=====

Saurav Kumar @ Golu Kumar, Son of Late Sanjay Kumar Paswan @ Sanjay Kumar Paswan, Resident of Village- Garikhana, P.S- Khagaul, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Arun Kumar Tiwari, Advocate

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Khagaul P.S. Case No. 91 of 2023 registered for the alleged offences under Sections 25 (1-b)a/35 of the Arms Act.

3. As per prosecution case, on the basis of information about the co-accused Sudhir Kumar keeping a country made pistol in his house, a raid was conducted and the co-accused was apprehended and from his possession, a country made pistol was recovered. This apprehended co-accused named the petitioner and other co-accused who gave the country made pistol to him for keeping in his house.

4. The learned counsel for the petitioner submits that



the petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern with the alleged recovery and the apprehended co-accused did not disclose the name of the petitioner, but due to enmity of one S.I. Anirudh Kumar Sharma, who is the present I.O. of the case, the name of the petitioner has been wrongly mentioned in this case as the said person is having dispute with the mother of the petitioner. Apart from the so-called disclosure of the co-accused, there is nothing against the petitioner. The petitioner is having criminal antecedent of one case in which he is on bail.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery of any firearm has been shown from the petitioner and the allegation is completely vague and further considering the possibility of false accusation, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V,



Danapur at Patna, in connection with Khagaul P.S. Case No. 91
of 2023, subject to the conditions mentioned in Section 438(2)
of the Cr.P.C. and the following conditions:

(i) One of the bailors will be a close relative of
the petitioner.

(ii) The petitioner will remain present on each
and every date fixed by the court below, if so
required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

U		T	
---	--	---	--

