

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57865 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- NAUBATPUR District- Patna

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Ankit Kumar, S/O Diwakar Sharma, Resident Of Vill.- Badi Tengaraila,
Barka, P.S.Naubatpur, District-Patna, Pin-801109, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Nivedita Nirvikar, Sr. Adv. Mr. Madhumay Madhup, Adv. Mr. Nishikant, Adv.
For the Opposite Party/s :		Mr. Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 20-09-2023 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner apprehends his arrest in connection with Naubatpur P.S. Case No. 34 of 2023 dated 17.01.2023 registered for the offences punishable under Section 414/34 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.
3. The main submissions advanced by learned counsel for the petitioner are that as per the allegation, three co-accused persons, named in the FIR, were apprehended at the spot when they were indulged in snatching of mobiles and money from the public but admittedly, the petitioner was not one of the apprehended persons and the name of this petitioner



surfaced in the statements of apprehended co-accused persons and as per the FIR, a loaded country-made pistol was recovered from the possession of co-accused Amit Kumar, who disclosed that the said fire-arm was handed over to him by one namely Ankit Kumar S/O- Amarkant Sharma, who is not the petitioner and there is no specific allegation against the petitioner and he is simply alleged to be an accomplice of co-accused persons who were apprehended at the spot and he has fair and clean antecedent and he is 20 years old student.

4. Learned APP for the State has opposed the prayer for bail.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and also the fact that in respect of petitioner's involvement in the alleged crime, the prosecution is mainly relying upon the statements of co-accused persons and also keeping into account the petitioner's young age, in my opinion, in the said circumstances, the petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of the Court concerned in connection with Naubatpur P.S. Case No. 34 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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