

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61671 of 2023

Arising Out of PS. Case No.-60 Year-2023 Thana- BARHIYA District- Lakhisarai

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MITHUN KUMAR Son of Shiv Balak Singh R/o vill - Adarsh Laxmipur, P.S.
- Barahiya, Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra
For the Opposite Party/s : Mr. Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2023 Heard the parties.

2. The petitioner apprehend his arrest in connection with Barahiya P.S. Case No.60 of 2023, registered for the offence punishable under Sections 25(1-b)(a), 26 and 35 of Arms Act.

3. Allegedly, two pistol and nine live cartridges is said to have been recovered from the house of the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no recovery from the conscious possession of the petitioner. His name transpired in the present case only on the basis that the alleged recovery has been made from the house of the petitioner. Petitioner has no criminal antecedent.



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

6. Having regard to the facts and circumstances of the case as the recovery has been made from the house of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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