

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61661 of 2023

Arising Out of PS. Case No.-172 Year-2023 Thana- SUPAUL District- Supaul

1. AJIT ROY son of Deo Narayan Roy Village- Parsharma W.NO-2, Ps- Supaul Dist- Supaul
2. Prabhash Kumar son of Jogendra Roy @ Yogendra Roy Village- Parsharma W.NO-2, Ps- Supaul Dist- Supaul
3. Suraj Kumar son of Upendra Roy Village- Parsharma W.NO-2, Ps- Supaul Dist- Supaul
4. Pawan Kumar son of Sohan Roy village- Sripur Ps- Pratapganj Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2023 Heard learned counsel Mr. Pramod Misha on behalf of the petitioners and Mr. Dilip Kumar No.1, learned APP on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 324, 307 of the Indian Penal Code and Section 25(1-b)a, 26, 35, 27 of the Arms Act.

3. Allegedly, one Rahul Kumar came with a katta, and handed it over to the petitioners and when it was being checked by petitioner no.2, firing took place and petitioner no.1 and 2



got injured. On hearing sound of firearm, police came and recovered a country made pistol from the roof.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the country made pistol has been recovered from the roof of the house of Jogendra Roy. There is no recovery of arms from the conscious possession of the petitioners. Petitioners are students and there is no specific overt act against them. Petitioners have 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, let the above named petitioners, be released on bail, in the event of their 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) **each** 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 Supaul P.S. Case No.172 of 2023, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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