

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64175 of 2023

Arising Out of PS. Case No.-97 Year-2023 Thana- KORMA District- Sheikhpura

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PANKAJ RAM SON OF KANT RAM @ SHREE KANT RAM VILLAGE-
BHADAUSI, PS- KORMA, DIST- SHEIKHPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dinkar Kumar, Adv.
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Korma P.S.
Case No. 97 of 2023 registered for the offences punishable
under Sections 25(1-b)a/26/35 of the Arms Act.

3. The prosecution case, in brief, is that on 12.07.2023 at
about 05:00 hours, informant along with armed forces
proceeded for raid against illegal liquor manufacturers, storage
and sellers. About 06:30 hours, he received secret information
that petitioner along with one Shankar Ram are planning to
commit crime with illegal weapons in Bhadausi village. To
verify the information, he along with armed forces reached at



the house of co-accused Shankar Ram. After seeing the police, the accused persons started fleeing away and managed to escape. On search, one country made pistol loaded with live cartridge and three cartridges have been recovered from the house of co-accused Shankar Ram.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized pistols and cartridges or the place of recovery. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Considering the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail.

7. The prayer for anticipatory bail of the petitioner is hereby rejected.

8. However, if petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail,



the learned Court below shall pass order on the same day in
accordance with law without being prejudiced by this order
considering the fact that petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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