

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64947 of 2023

Arising Out of PS. Case No.-171 Year-2022 Thana- AGIAON District- Bhojpur

Chotan Khan Son Of Mujubur Rahman Resident of Village- Bhagalpur, P.S.-
Piro, District – Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-12-2023 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 Agiaon Bazar P.S. Case No. 171 of 2022, registered on 06.11.2022 for the offences under Sections 442, 120B, 341, 504, 506/34 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

3. As per prosecution case, from the dilapidated house of co-accused Anshu Tiwari abducted victim Amit Kumar was recovered and co-accused Jairam Kharwar was apprehended who threw away barrel of pistol which was



subsequently recovered. The apprehended co-accused disclosed the name of the petitioner and other co-accused persons for their involvement. The allegation against the petitioner is that he supplied the pistol with ammunition to the co-accused.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner came up on the basis of confessional statement of co-accused Jairam Kharwar who was arrested with firearm and the victim. Further the place from where the recovery of the victim was made belongs to co-accused and the abduction was carried out with the help of co-accused Nandini and except the allegation that the petitioner provided firearm to the co-accused, none of the offences as mentioned in the FIR would be applicable against the petitioner. The petitioner has got no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner submitting that the name of the petitioner transpired for hatching conspiracy for abduction of a person and demanding ransom of rupees sixty lakhs with further allegation that he supplied firearm and ammunition to one of the co-accused persons.

6. Having regard to the facts and circumstances



and submissions made on behalf of the parties and considering the nature of allegation against the petitioner, I don't think it is a fit case for grant of anticipatory bail. Hence, the prayer for anticipatory bail of the petitioner is rejected.

(Arun Kumar Jha, J)

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