

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65384 of 2023

Arising Out of PS. Case No.-1001 Year-2022 Thana- BIHTA District- Patna

Navin Kumar S/O Sri Nivas Ray @ Sri Ray R/O Amnabad, P.S- Bihta, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kr. Arya, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 06-11-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in connection with Bihta P.S. Case No. 1001 of 2022 dated 30.09.2022 registered for the offence/s punishable u/ss 25(1-b)a, 26, 27 and 35 of the Arms Act and sections 353 and 307 of the Indian Penal Code.

4. As per the prosecution case, one country made *Katta*, five live cartridges and Rs. one lakh were recovered from the house of the of the co-accused Shri Niwas Ray.



5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Learned counsel has further submitted that the petitioner is made accused in this case only because he is the son of the co-accused Shri Niwas. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that the petitioner is not residing in the said house. The petitioner has two other criminal cases and he is on bail in all the said cases as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Danapur, Patna in connection with Bihta P.S. Case No. 1001 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with the following condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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