

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66809 of 2023

Arising Out of PS. Case No.-247 Year-2023 Thana- DALSINGHSARAI District- Samastipur

PRABHAT KUMAR @ KARIYA @ GOLU Son of RAM KUMAR MAHTO
Resident of Village- Pachpaika, P.S.- Ujiyarpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in case registered for the offences punishable under Sections 411, 414/34 of the Indian Penal Code read with Sections 25(1-B)a, 26, 35 of the Arms Act

3. As per F.I.R., several miscreants were apprehended by the police and on search one loaded country made pistol, mobile phones and motorcycle were recovered. Petitioner is alleged to be the supplier of the pistol in question.

4. Learned counsel for the petitioner submits that no incriminating material has been recovered from the conscious possession of the petitioner and he is no way connected with the aforesaid recovery. Petitioner has been made accused in this case only on the basis of confessional statement of co-accused



which has got no legal value in the eye of law.

5. Learned A.P.P. for the State opposes the bail application and submits that petitioner has got 7 criminal antecedents out of which 4 criminal antecedents are of similar nature.

6. Considering the criminal antecedents of similar nature, prayer for anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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