

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74455 of 2022

Arising Out of PS. Case No.-246 Year-2022 Thana- SARSI District- Purnia

KISHOR KUMAR @ KISHOR JHA S/o Sri Nandeshwar Jha R/v- Chikni,
P.S.- Sarsi, District- Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-04-2023 Heard Mr. Amit Kumar Anand, learned counsel for
the petitioner and Mr. Binod Kumar, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sarsi PS Case No. 246 of 2022 dated 13.10.2022 registered under Section 307 of the IPC and Section 25(1-b)a, 26, 35 & 27 of the Arms Act.

The prosecution case in brief is that while the Police Officials were on patrolling duty near the stage of Devi Jagran, they heard gun shot from the North side of the stage. Upon hearing the gun shot, the informant (Police Officer) moved towards the place from where sound of firing was coming and upon seeing the police party one person started fleeing away who was apprehended by the Police. A country made pistol was recovered from the waist of the arrested person. The allegation against the



petitioner is that the said arrested person informed the Police that fire arm was provided to him by the petitioner i.e. Kishor Kumar @ Kishor Jha.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of statement made by the co-accused and no illegal arm and / or any incriminating material has been recovered from the possession of the petitioner. The petitioner has got no criminal antecedent.

Regard being had to the submission made by the parties, taking into consideration the material on record, the fact that petitioner has been dragged in this case on the basis of statement made by the co-accused and no illegal arm and / or any incriminating material has been recovered from the possession of the petitioner, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri Arbaj Ansari, learned Judicial Magistrate, 1st Class, Purnea in



connection with Sarsi PS Case No. 246 of 2022 subject to the
condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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