

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8113 of 2024

Arising Out of PS. Case No.-232 Year-2023 Thana- PANAPUR District- Saran

Bittu Kumar @Bittu Ray SON OF KASHI RAY RESIDENT OF VILLAGE-
DHENUKI, PO- DHENUKI, PS- PANAPUR, DISTT- SARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Panapur P.S. Case No. 232 of 2023 dated 10.09.2023 registered for the offences punishable u/ss 25(1-b)a, 26 and 35 of the Indian Arms Act.

3. As per the prosecution case, the informant (A.S.I.) was investigating the case under Section 393 of the IPC which is Panapur P.S. Case No. 231 of 2023, the arrested accused disclosed that he along with others used to make plan near Dhenuki Bridge on 09.09.2023 in the evening, the accused persons tried to loot Ganesh Yadav and Kamlesh Sah on the point of knife but they drove the motorcycle speedily and



identified the accused persons so they could not loot the motorcycle. The police team reached in village Dhenuki on the instance of accused persons and on seeing them, four boys tried to flee away but on chase two of them were apprehended namely, Dhiraj Kumar and Tarun Kumar. From the possession of Dhiraj Kumar, a country made katta was recovered from his waist and from the possession of Tarun Kumar, a mobile and a knife were recovered. The apprehended accused persons also disclosed the name of the petitioner and the co-accused person who had given the arms to them.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in the confessional statement of the co-accused, Dhiraj Kumar and Tarun Kumar. Nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the apprehended co-accused persons. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

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



6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, 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, Saran, Chapra in connection with Panapur P.S. Case No. 232 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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