

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8799 of 2024

Arising Out of PS. Case No.-272 Year-2020 Thana- BAHERA District- Darbhanga

Rupesh Kumar @ Nandan Jha S/O Santosh Jha R/O Village- Balaha, P.S-
Bahera, Distt.- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajesh Jha, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Bahera P.S. Case No. 272 of 2020 registered for the offences punishable under Sections 341, 323, 504 of the Indian Penal Code and Section 25(1-b)a of the Arms Act. he has no criminal antecedent as stated in paragraph '3' of the application.

3. Allegation against the petitioner is to assault the informant by showing pistol alongwith other co-accused persons.

4. Learned counsel appearing on behalf of the petitioner submitted that pistol, as per seizure list, not appears to be recovered from possession of this petitioner, where recovered Yamaha motorcycle also not appears belonged to this petitioner.



It is further submitted that due to local issue, petitioner has been implicated in the present case. This is not a case of any injury caused by fire-arm. While concluding argument, learned counsel submits that petitioner is man of clean antecedent.

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

6. Having regard to the facts and circumstances of the case and by taking note of the submission that the fire-arm in issue and motorcycle not appears to be recovered from conscious physical possession of this petitioner, therefore, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate – 1st Class, Benipur, Darbhanga in connection with Bahera P.S. Case No. 272 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

Rajeev/-

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