

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10795 of 2024

Arising Out of PS. Case No.-589 Year-2023 Thana- GHORASAHAN District- East
Champaran

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Vivek Kumar @ Lalu S/O VINOD PRASAD YADAV VILLAGE- WIJBANI
KACHHARIYA TOLA, PS.- JITNA, DISTT. EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.

For the Opposite Party/s : Mr.Nirmala Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Ghorasahan Jitna P.S. Case No. 589 of 2023 registered for the offences punishable under Sections 25(1-b)a, 26 of the Arms Act.

3. As per prosecution case, one country made pistol and four live cartridges were recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears criminal antecedent of three cases. He further



submits that petitioner is one of the junior member of the joint house. In the light of the aforesaid fact, the recovery cannot be shown from the house of the petitioner as he is not the sole owner of the said house.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that one country made pistol and four live cartridges were recovered from the house of the petitioner. He further submits that petitioner also bears criminal antecedent of three cases and hence, he does not deserve bail.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner as well as material available on record, I am not inclined to grant privilege of anticipatory bail to petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is, hereby, rejected.

(Alok Kumar Pandey, J)

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