

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16410 of 2024

Arising Out of PS. Case No.-206 Year-2023 Thana- GANGABRIDGE District- Vaishali

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Sharvan Kumar SON OF NAGENDRA RAI RESIDENT OF VILLAGE-
KARANPURA, PS- GANGABRIDGE, DIST- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-03-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Gangabridge P.S. Case No. 206 of 2023 for the offence registered under sections 399, 402 and 414 of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the Arms Act lodged on 18.09.2023 by the informant, Pankaj Kumar.

3. As per the prosecution story, the police alleged that upon secret information, reached near the '*bathan*' of Ashok Kumar where found some of the accused persons escaping while Indrajeet Kumar, Vijay Rai and Ashok Kumar were apprehended and a loaded pistol from Indrajeet Kumar and 215 cartridges from Vijay Rai recovered/seized. Accordingly, the FIR.



4. Learned Counsel for the petitioner submits that he has no criminal antecedent and on the confession of other co-accused, his name has cropped up, has no role to play in the matter.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that his name has come in the confessional statement.

6. Considering the fact that the raid took place and '*bathan*' of Ashok Kumar, there is recovery of loaded pistol and 215 cartridges from him, his name has come in the confessional statement, do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur in connection with Gangabridge P.S. Case No. 206 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his



bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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