

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18474 of 2024

Arising Out of PS. Case No.-778 Year-2023 Thana- KHAGARIA District- Khagaria

Anil Giri S/o Late Munna Giri R/o Vill - Kurauli, P.S. - Shivrampur, P.S. -
Cholapur, Dist. - Banaras (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Singh, Adv.

For the Opposite Party/s : Mr.Abhay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Khagaria P.S. Case No. 778 of 2023 instituted for the

offences under Section 414 of the Indian Penal Code and

Section 25 (1-B)a, 26, 35 of the Arms Act.

3. As per prosecution case, the police, on receipt of

secret information, apprehended the petitioner and, on

search, a railway ticket of 31.07.2023 was found.

Thereafter, the bag was search from which six pistols, 12

magazines, cash amounting Rs. 2,000/-, a black colour

mobile phone and Aadhar Card were also recovered.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is neither the driver nor the owner of the Scorpio vehicle bearing Regd. No. WB06F-8464. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 02.08.2023. Charge-sheet has been submitted in this case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of



Court below/concerned Court in connection with Khagaria
P.S. Case No. 778 of 2023 .

(Rudra Prakash Mishra, J)

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