

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24150 of 2024

Arising Out of PS. Case No.-129 Year-2023 Thana- VIDYAPATINAGAR District-
Samastipur

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Arun Kumar Son of Sanjiv Kumar Sahni @ Sanjiv Sahni Resident of vill.-
Jorpura, P.S.-Halai (O.P.), Distt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amitesh Kumar, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Vidyapatnagar (Ghatho) P.S. Case No.129 of 2023 registered for the offences punishable under Sections 399/402/412 of the Indian Penal Code and under Sections 25(1-b)/A/26/35 of the Arms Act.

3. As per prosecution, the police upon secret information that five persons are planning to commit dacoity made raid from where three persons other than petitioner was apprehended and from their possession different articles including pistol and cartridges were recovered. Upon disclosure of apprehended accused persons, name of the petitioner has



figured in the present case.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Counsel submits that nothing incriminating has been recovered from the possession of the petitioner. He was not even present at the alleged place from where three accused persons were apprehended and from their possession arms and other articles were recovered. Counsel submits that name of the petitioner has figured in this case at the mouth of the apprehended accused persons only due to the reason that criminal antecedent of the petitioner is not clean. There are two criminal cases pending against the petitioner in which he is on bail. Counsel submits that there may be criminal antecedent of the petitioner but in the present case there is absolutely nothing and no Arms Act has made out nor any provisions of the IPC has been attracted.

5. Learned Additional Public Prosecutor opposes the prayer for anticipatory bail.

6. In the present facts and circumstances, the petitioner, above named, is directed to be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of six weeks from today on furnishing bail bond of Rs.30,000/- (Thirty Thousand) with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Dalsinghsarai (Samastipur)/Successor Court in connection with Vidyapatinar (Ghato O.P.) P.S. Case No. 129 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The Court prior to granting bail shall certify that petitioner is not absconding in the following cases:-

- (I) Vidyapati Nagar (O.P.) P.S. Case No.222 of 2020.
- (ii) Vidyapati Nagar (O.P.) P.S. Case No. 224 of 2020.

(Dr. Anshuman, J)

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