

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21950 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- BAKHARI District- Begusarai

Vikash Kumar Son of Gopal Mehta R/o Village- Makkhachak, Ward No. 20,
P.S.- Bakhari, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Chouhan, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-07-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Bakhri P.S. Case No. 23 of 2024, dated 17.01.2024
registered for the offences punishable under Sections 341, 323,
448, 504 and 506 of the Indian Penal Code as well as Section
25(1-b)a of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner is a young boy, aged about 19 years, is a student and
has been falsely implicated in the instant case by the informant
with an allegation that he entered the house of the informant on
17.01.2024 at 06:30 p.m. when his wife made a phone call
informing him about the petitioner thereafter informant reached
his house and saw that the petitioner was abusing and
threatening his wife and when the informant objected the



petitioner took out a pistol from his waist and pointed upon him and thereafter on alarm the villagers gathered as such the petitioner threw his pistol and fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner was neither apprehended from the spot nor the gun was recovered from his possession, rather it is alleged that he threw the gun and fled away from the place of occurrence.

5. At this stage, learned A.P.P. submits that the offences for which the instant FIR has been instituted carry punishment of seven years and less. It is further submitted that though the case has been instituted under the Arms Act also but in the nature of allegation, the punishment prescribed under the Arms Act for such offence is not more than seven years.

6. The said submission of the learned A.P.P. for the State is not disputed by the learned counsel appearing on behalf of the petitioner.

7. Learned counsel for the petitioner submits that the investigation of the case against the petitioner is still going on, on which learned A.P.P. submits that the anticipatory bail application be disposed of in terms of the order dated 13.02.2024 in Cr. Misc. No. 3536 of 2024 (Naushad Ansari Vs.



The State of Bihar).

8. In view of the aforesaid submissions made by the learned A.P.P., the anticipatory bail application is disposed of in terms of the order dated 13.02.2024 in Cr. Misc. No. 3536 of 2024.

9. The petitioner would be at liberty to file a representation before the concerned Superintendent of Police and the Investigating Officer of the case within a period of three weeks from today with a web copy of the order dated 13.02.2024 in Cr. Misc. No. 3536 of 2024 and the concerned Superintendent of Police shall ensure that the Investigating Officer of the case strictly adheres to the direction contained in the said order dated 13.02.2024 in Cr. Misc. No. 3536 of 2024.

(Satyavrat Verma, J)

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