

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21244 of 2024

Arising Out of PS. Case No.-17 Year-2024 Thana- TEGHRHA District- Begusarai

Prince Kumar Son of Bipin Sha @ Bipin Sah @ Bipin Sao Resident of
Village- Amba, Ward No. 12, P.S.- Teghra, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Teghra P.S. Case No.17 of 2024 , F.I.R. dated 19.01.2024 registered for the offence punishable under Sections 25(1)a of the Arms Act.

3. The prosecution case, in short, is that one Sanjay Kumar, Police Inspector-Cum-SHO, Teghra P.S., Begusarai has recorded his self statement on 19.01.2024 at the Teghra police station campus in which he has stated that on 19.01.2024 SDPO, Teghra had sent a viral photograph to him, in which two young boys were seen having country made pistol in their hands. The informant has taken the screen shot of the photograph and started investigation. Informant during course of inquiry came to know that the person who has wore cheek shirt and folded



white towel in his neck is Sonu Kumar and the person who has wore a black shirt and folded towel in his head is Prince Kumar. The informant has given direction to A.S.I Rameshwar Prasad Yadav to take appropriate action and the same A.S.I has stated that the name and address of two persons as seen in the viral photograph is correct. On having asked by the local co- villager the police has also came to know that both the accused persons are arrogant in nature and they were used to keep illegal arms with them. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and has falsely been implicated in the present case on the basis of viral picture. It is next submitted that from the viral photograph, it appears that the petitioner was standing along with the co-accused person and the co-accused person have arms in his hand and petitioner has not carried any arms.

5. Learned APP for the State, on the other hand vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts that petitioner having clean antecedent, it appears from the viral photograph the petitioner has not holding any arms in his hand, let the



petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No.17 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of anticipatory bail.

(iii) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of anticipatory bail bond of the petitioner. However,



the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Prakash Narayan

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