

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 25027 of 2024

Arising Out of PS. Case No.-76 Year-2008 Thana- GOVINDGANJ District- East Champaran

DHARMENDRA MISHRA SON OF LATE SUKAN MISHRA RESIDENT
OF VILLAGE - DAMODARPUR MATHIA, POLICE STATION - MALAHI,
DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Shekhar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 01-05-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Govindganj (Malahi) P.S. Case No.76 of 2008 corresponding Trial No.571 of 2021 under Sections 25(1-B)a/ 26 and 37 of the Arms Act.

3. As per the prosecution, the FIR has been lodged against the petitioner and recovery of arms has been made from his possession as per the seizure report.

4. Learned counsel for the petitioner submits that the petitioner was apprehended by the police, but subsequently he was released on police bail therefore he was advised by his counsel to move for anticipatory bail, which was rejected by the



sessions court, thereafter he has moved to this Court.

5. Learned APP for the State opposes the prayer for bail and submits that the petitioner ought to surrender before the trial court as he has chosen wrong forum.

6. Counsel further submits that with the direction to the petitioner to surrender before the original forum, this case may be disposed off.

7. In the present facts and circumstances, the present bail application is hereby disposed off, directing the petitioner to narrate story of his release by the police at the time of surrender.

8. However, trial court is directed to pass order on bail application filed by the petitioner on the same day on his surrender.

(Dr. Anshuman, J.)

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