

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22953 of 2024

Arising Out of PS. Case No.-195 Year-2023 Thana- PAKRIDAYAL District- East Champaran

Rajan Kumar S/O Shambhu Kushwaha R/O Village - Intawa Sirhan, P.S-
Pakaridayal, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Usha Kumari, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 29-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Pakaridayal P.S Case No. 195 of 2023 registered for the offences punishable under Section 25(1-b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, the allegation against the petitioner is that one country made pistol alongwith live cartridges and a motorcycle recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. He further submits that the name of the petitioner has been surfaced on the confessional statement of co-accused, namely, Keshav Kumar.

5. However, learned APP for the State oppose the prayer



for bail of the petitioner.

6. On perusal of the FIR, impugned order dated 10.01.2024, it appears that on the basis of written report of the informant FIR was registered against three accused persons including the present petitioner and the name of the petitioner surfaced on the confessional statement of the co-accused Keshav Kumar who was arrested on spot and from his possession one country made pistol and live cartridges were recovered. The co-accused stated before the police that said recovered country made pistol and live cartridges given by the petitioner. The said recovered motorcycle also belongs to the present petitioner as mentioned in the impugned order.

7. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioner and the allegation levelled against the petitioner, I am not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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