

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24205 of 2024

Arising Out of PS. Case No.-20 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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AZAD KUMAR SON OF MAHESHWAR SINGH @ ARJUN SINGH
RESIDENT OF VILLAGE - INIYAR, WARD NO.01, P.S. - MUFFASIL,
DISTRICT - BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sandip Kumar Gautam, Advocate
For the State	:	Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-03-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-b), 26 and 35 of the Arms Act.

3. As per prosecution case, on a secret information, a raid was conducted and co-accused Guddu Kumar and Piyush Kumar were apprehended on the spot with arms and ammunition, who disclosed the name of this petitioner and others as their associates, who fled away from the spot.

4. It is submitted by learned counsel appearing on behalf of the petitioner that one country made pistol and one live cartridge has been recovered from the house of co-accused



Vikash Kumar. It is next submitted that no arms or ammunition have been recovered from the possession of this petitioner and he has been made an accused in this case only on the basis of confessional statement of two co-accused persons, who were apprehended at the spot. Except confessional statement, there is no incriminating material to connect this petitioner with the alleged offence. It is further submitted that co-accused Manish Kumar has already been allowed the privilege of anticipatory bail by this Hon'ble Court vide order dated 07.07.2023 passed in Cr. Misc. No. 27036 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that the petitioner has also got two criminal antecedents, out of which one is of similar nature.

6. Considering the aforesaid facts and circumstances and criminal antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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