

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32272 of 2024

Arising Out of PS. Case No.-317 Year-2021 Thana- KHUSRUPUR District- Patna

Birendra Kumar SON OF RAM PRAVESH SINGH @ SUKHARI
RESIDENT OF VILLAGE-MALPUR, P.S-KHUSRUPUR, DIST-
MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Ahmad Ali, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

3. As per the prosecution case, it is alleged that one loaded country-made pistol and live cartridges were recovered from the pocket of the co-accused, Nirranjan Kumar and two .315 bore live cartridges were recovered from the possession of the co-accused, Ram Gulam Kumar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has no



concern with the alleged offence. Learned counsel for the petitioner has submitted that the name of the petitioner has surfaced only on the basis of confessional statement of co-accused persons. There is no specific allegation against the petitioner. The co-accused has been granted regular bail by this Court vide order dated 04.08.2022 in Cr. Misc. No. 21015 of 2022. The petitioner has one criminal antecedent in which he is on bail as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Patna in connection with Khusrupur P.S. Case No. 317 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Shivam/-

U		T	
---	--	---	--

