

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43043 of 2024

Arising Out of PS. Case No.-355 Year-2023 Thana- PIPRA District- East Champaran

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KARAN KUMAR @ HARISH KUMAR @ KARAN SAHANI, S/O
KRISHNA SAHANI, R/O VILLAGE- CHINTAMANPUR, TIKULIYA, P.S-
PIPRA, DISTRICT- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
		Mr. Harish Chandra Patel, Advocate
		Mr. Anil Kumar Sinha, Advocate
For the Opposite Party/s :		Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-07-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Pipra P.S. Case no. 355 of 2023 registered under sections 399 and 402 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the informant states that on secret information having been received about the five accused persons having gathered and planning to give effect to an occurrence, a raid was conducted. The two accused persons



were caught from whom a loaded country made pistol and one live cartridge was recovered. Three accused persons managed to escape. The accused persons who were caught disclosed the names of the three persons who had managed to escape, which included the petitioner herein.

4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. The cause of false implication is his antecedent. He undertakes to cooperate in the case.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., his not having been arrested at the spot, no incriminating article having been recovered from the petitioner's possession and the name of the petitioner transpiring only on the statement of co-accused made before police, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Pipra P.S. Case no. 355 of 2023 on furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Chief Judicial Magistrate,
East Champaran, Motihari.

(Partha Sarthy, J)

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