

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44900 of 2024

Arising Out of PS. Case No.-25 Year-2019 Thana- KOPA District- Saran

Vicky Patel @ Himanshu Patel S/o Dallu Patel @ Nawal Kishor Prasad R/o
Mohalla- katra, Near S.D.S. College, P.S.-Bhagwan Bazar, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Srivastva
For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-07-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Kopa P.S. Case No. 25 of 2019 dated 19.02.2019 registered under Sections 414 / 34 of the I.P.C. and Section 25(1-b)a / 26 / 35 of the Arms Act.

3. As per the prosecution story recorded in the year 2019 dated 19.02.2019 Police intercepted a motorcycle on which two persons were riding, apprehended them and upon search two live cartridges along with Rs. 8,700/- were recovered from the accused persons. The arrested persons confessed that they are involved in the business of illegal arms and the recovered money is the sale proceeds towards illegal arms. They also confessed that petitioner is the supplier of illegal arms and cartridges and the apprehended accused persons used to sale



them.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of his name being disclosed by the arrested accused person / Mantazir Khan. No incriminating article and / or illegal arms has been recovered from the conscious possession of the petitioner and the co-accused having similar allegation has been granted anticipatory bail by the learned Sessions Judge, Saran at Chapra on 12.03.2019. The petitioner is working as an Ambulance Driver at Chapra Sadar Hospital and after joining on 08.07.2020 he has been working at Chapra Sadar Hospital. The petitioner has worked as a Driver during the Corona period also in the Chapra Sadar Hospital and was having no knowledge about this case and came to know about it when the Police visited his house before the Lok Sabha Election of Chapra constituency.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner has been working as an Ambulance Driver and during Corona period also he worked as an Ambulance Driver in the Sadar Hospital Chapra and similarly situated co-accused has been granted anticipatory bail by the learned Sessions Judge, Saran in A.B.P. No. 740 of 2019, I am inclined to grant anticipatory bail to the



petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Kopa P.S. Case No. 25 of 2019 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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