

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45071 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- NAYAGAON District- Saran

NAVEEN KUMAR SON OF ASHOK RAY RESIDENT OF VILL-
CHAKAPSAID, PARMANANDPUR, P.S.- SONEPUR, DISTRICT-
SARAN, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Anand

For the Opposite Party/s : Ms.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-07-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Nayagaon Police Station Case No. 49 of 2024, dated 20.03.2024, disclosing offences punishable under Sections 399/402 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that the police, while on patrolling, on receiving secret information that some persons on two motorcycles, having fire arms, have assembled near the J. K. Brick Kiln in order to commit crime, reached at the place of occurrence and on seeing them, six persons on two



motorcycles started fleeing towards Nayagaon and on chase, the police apprehended four persons along with one motorcycle and the rest two persons succeeded in fleeing away on their motorcycle. On search, the police recovered one country made pistol and two live cartridges from the possession of co-accused Adesh Kumar and from rest three co-accused, mobile phones were recovered. On query, the apprehended co-accused persons disclosed he names of two persons who succeeded in fleeing away as Bipul Kumar and this petitioner.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case and he has got no criminal antecedent. He further submits that the petitioner has no concern with the arrested co-accused persons and he was not even present at the place of occurrence at that point of time. He further submits that no incriminating material has been recovered from the possession of the petitioner.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the arrested co-accused person, from whose possession fire arm has been recovered, has disclosed name of the



petitioner as the person who succeeded in fleeing away on
motorcycle, I am not inclined to grant the petitioner
privilege of anticipatory bail.

6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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