

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45401 of 2024

Arising Out of PS. Case No.-169 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Manjay Gupta Son of Late Mahendra Gupta Village- Asani, PS-
Udwantnagar, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Udwant Nagar P.S. Case No.169 of 2024 instituted under
Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, during raid, co-accused
Upendra Kumar @ Mohan Kumar was arrested who disclosed
that he had kept the rifle on the *chhajja* of petitioner's house.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case due to village politics. The co-accused is the next door
neighbour of the petitioner and the petitioner has no concern
with the co-accused, who had kept the recovered arms on the
chhajja of petitioner's house without his consent or knowledge.



The said recovered rifle does not belong to the petitioner. The recovery has been made from the house which was open without any door and was used for cattle shed. At the time of recovery, the petitioner was not present at the spot. There is nothing material against the petitioner. The petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bhojpur at Ara in connection with Udwant Nagar P.S. Case No.169 of 2024, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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