

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49584 of 2024

Arising Out of PS. Case No.-899 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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ABHISHEK KUMAR SINGH SON OF ANIL SINGH RESIDENT OF
VILLAGE - BASDILA, P.S. - GOPALGANJ TOWN, DISTRICT -
GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Naresh Prasad
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 221-08-2024
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 Gopalganj Town Police Station Case No. 899 of 2023, dated 13.11.2023, disclosing offences punishable under Sections 25 (1-B)a/25(a)/26/27 of the Arms Act.
3.

The prosecution case, as per the First Information Report, is that the Police, on secret information that the petitioner, along with one Deepak Kumar, has done firing in village Basdilla near hut (pilani) of Rameshwar Gour, proceeded towards the place of occurrence and co-accused Deepak Kumar was apprehended and the petitioner succeeded in fleeing away. On search, the police recovered a pistol



from the straw hut and arrested co-accused told the police that it was the petitioner who fired from the said pistol.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in the present case at the behest of his neighbour, who had lodged Gopalganj Town Police Station Case No. 492 of 2023, under Section 307 and other allied sections of the Indian Penal Code against the petitioner, in which the petitioner was granted bail. He further submits that the petitioner is a student and has passed the intermediate examination in the first division in the year 2024.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that fire arm has not been recovered from the possession of the petitioner and the petitioner is a student, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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
Chief Judicial Magistrate, Gopalganj, in connection with
Gopalganj Town Police Station Case No. 899 of 2023,
subject to the condition laid down under Section 438 (2)
of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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