

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51504 of 2024

Arising Out of PS. Case No.-157 Year-2024 Thana- LAHERIMUHALLA District- Nalanda

Gulshan Kumar @ Lala S/O Navin Ram R/O Village/Mohalla- Sohsarai
(Behind Police Station), P.S- Sohsarai, Distt.- Nalada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate
For the State : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2024

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Laheri P.S. Case No. 157 of 2024 for the offence under Sections 25(1-b)a, 26 and 35 of the Arms Act lodged on 07.04.2024 by the informant, Lalan Kumar Jha.

3. As per the prosecution story, the informant alleged that the police during checking intercepted a motorcycle and arrested one Aman Kumar and upon search a country made pistol with two live cartridges recovered/seized, he disclosed that his uncle (petitioner herein) sent to Shubham Kumar to bring this weapon/cartridges. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that admittedly, the recovery/seizure is from Aman Kumar, only to save his skin, he named his uncle that with whom the



petitioner has no connection as they have already separated. The last submission is that he do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that the arrested person has named him.

6. Taking into account the aforesaid facts as also that allegedly the recovery/seizure is from Aman Kumar, on his confession he has been named and the petitioner do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, Bihar Sharif, in connection with Laheri P.S. Case No. 157 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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