

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57814 of 2024

Arising Out of PS. Case No.-193 Year-2023 Thana- NIMCHAKBATHANI District- Gaya

1. GUDDU CHAUHAN S/O RAGHU CHAUHAN R/O VILLAGE-
GANPATNAGAR, P.S- NIMCHAK BATHANI, DISTT.- GAYA.
2. RAVI KUMAR S/O RAGHU CHAUHAN R/O VILLAGE-
GANPATNAGAR, P.S- NIMCHAK BATHANI, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners seeks permission
to withdraw this application in respect of petitioner no.2,
submitting that during pendency of this application petitioner
no.2 has been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application is dismissed as withdrawn
in respect of petitioner no.2.

5. Now this application survives for petitioner no.1 only.

6. The petitioner apprehends his arrest in connection
with Nimchak Bathani P.S. Case No. 193 of 2023, registered



for the offences punishable under Sections 25(1-B)a, 26, 35 of the Arms Act.

7. As per the FIR, on search, two rifles and five bore have been recovered from the house of the petitioner. Petitioner is said to have fled away from the spot after seeing the police party.

8. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. Nothing has been recovered from the possession of the petitioner. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. At the time of alleged recovery, petitioner was not present at the place of occurrence. The alleged recovery is said to have been made from joint family house, which is inhabited by several family members of the petitioner. He had no knowledge of keeping of the said rifles and other contraband articles. It is further submitted that petitioner has six criminal antecedents as mentioned in para-3 of this application.

9. Learned APP for the State opposes the prayer for bail and submits that it is not a fit case for anticipatory bail.



10. Having regard to the facts and circumstances of the case as well as considering the criminal antecedents of the petitioner, I am not inclined to enlarge him on anticipatory bail. The prayer for anticipatory bail of the petitioner no.1 is hereby rejected.

11. Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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