

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66747 of 2024

Arising Out of PS. Case No.-507 Year-2023 Thana- PARBATTa District- Khagaria

Nandan Kumar Son of Sanjeev Roy R/o Village- Dumaria Bujurg, P.S.-
Parbatta, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Parbatta P.S. Case No. 507 of 2023 registered for the
offences punishable under Sections 414 of the Indian Penal
Code and Section 25(1-A)25(1-AA)25(1-B)A/26(i)(ii)(iii)/35 of
the Arms Act.

3. Prosecution case in short is that there is recovery of
two country made pistols, five live cartridges, 16 bullets and
other articles from the house of one, Kailu Sharma.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Charge sheet has been submitted in this case. Petitioner is not named in the FIR. Name of the petitioner surfaced in this case on the basis of confessional statement of co-accused, namely, Kailu sharma. The petitioner has no concern with the alleged recovery as well as co-accused person. There is no compliance of Section 100 of the Cr.P.C. Nothing has been recovered from the possession of the petitioner. Co-accused has been granted regular bail by this Court *vide* order dated 26-04-2024, passed in Cr. Misc. No. 32412 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Parbatta P.S. Case No. 507 of 2023, subject to the conditions as laid down



under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

