

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72560 of 2024

Arising Out of PS. Case No.-213 Year-2024 Thana- MITHANPURA District- Muzaffarpur

Alok Singh @ Alok Kumar Son of Sanjay Kumar @ Sanjay Singh @ Sanjay Sah R/o Near Soda Godown, Chandwara, P.S.- Muzaffarpur Town, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Mithanpura P.S. Case No. 213 of 2024 registered for the offences punishable under Sections 109, 61(2) of Bhartriya Nyay Sanhita, 2023 and Section 25(1-b)a, 26, 35, 27 of the Arms Act.

3. As per the prosecution case, the petitioner along with other co-accused persons are said to have fired upon the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that



there is no specific overt act against the petitioner. He further submits that there is no recovery of any arms and ammunitions from the possession of the petitioner. The petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that the three empty cartridges were also recovered from the place of occurrence.

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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