

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73721 of 2023**

Arising Out of PS. Case No.-171 Year-2023 Thana- JAHANABAD District- Jehanabad

Abhishek Kumar @ Abhishek Kesri, aged about 21 years (Male), Son
Ofumesh Prasad Keshri alis Umesh Kesri, Resident Of Mohalla - Purvi Untta
More, P.S. Jehanabad Town, District Jehanabad.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dheeraj Kumar, Advocate
For the Opposite Party : Mr. Abhay Kumar Roy, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 22-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Jehanabad Town P.S. Case No. 171 of 2023
dated 23.02.2023 registered for the offences punishable under
Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, police chased two
persons. One of them, the co-accused Dhiraj Kumar was
arrested and from his possession, one double barrel pistol loaded
and two mobile phones were recovered. The co-accused Dhiraj
Kumar has also disclosed the name of the petitioner and said
that the said pistol was provided by the petitioner for handing
over the same to one Vikash Kumar who used to sell Chaumin



near Samrat Hotel.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is submitted that no incriminating article has been recovered from the possession of the petitioner. The name of the petitioner has sprung up in the present case on the basis of the confessional statement of the co-accused Dhiraj Kumar. It is further submitted that the petitioner is a student of B.A. Part-II in A.N.S. College, Jehanabad under the Magadh University, Bodh Gaya. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Jehanabad, in connection with Jehanabad Town P.S. Case No. 171 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.



7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

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

