

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78417 of 2024

Arising Out of PS. Case No.-288 Year-2023 Thana- BHAGWANPUR District- Vaishali

Bihari Singh Son of Manoj Singh Resident of village- Mirzanagar P.S.-
Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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

ORAL ORDER

2 30-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Bhagwanpur P.S. Case No. 288 of 2023 instituted for the offences under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the F.I.R., one loaded country-made pistol and one live cartridge have been recovered from co-accused Ravi Kumar Sahni who disclosed the name of this petitioner from whom the said co-accused person had purchased the recovered arms and cartridges.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Ravi Kumar who has already been granted regular bail vide order dated 06.09.2024



passed in Cr. Misc. No. 62846 of 2024. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. It has been submitted on behalf of the petitioner that the petitioner has two criminal antecedents. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhagwanpur P.S. Case No. 288 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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