

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76189 of 2023**

Arising Out of PS. Case No.-104 Year-2023 Thana- NOWKOTHI GARHPURA District-
Begusarai

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NAVIN SINGH @ NAVIN KUMAR @ NAVIN KUMAR SINGH Son of
Bidya Sagar Singh @ Bidha Sagar Singh @ Bauku Singh R/o vill -
Chhatauna, ward no. 17, P.S. - Nowkothi, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 07-03-2024 Heard Mr. Sandip Kumar Gautam, learned Counsel
for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Nowkothi P.S. Case No. 104 of 2023 for the offence registered under sections 25(1-b)a and 26 of the Arms Act lodged on 17.08.2023 by the informant, Arvind Shukla.

3. As per the prosecution story, upon secret information, police raided the drug shop of the petitioner and seized a pistol and a live cartridge. Accordingly, the FIR.

4. Learned Counsel for the petitioner has taken this Court to paragraph-9 of the petition to show that he is neither the owner nor the staff of the medical shop from where the recovery of country made pistol and cartridge has been made.



5. Learned Counsel for the petitioner further submits that the drug shop is being run by his family members in which he has no role to play and there is nothing on record to show that it has been recovered from his conscious possession. He though concedes that the petitioner has criminal antecedent.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

7. Taking into account the aforesaid facts as also the categorical statement made by the petitioner in paragraph-9 that he is neither the owner nor the employee of the said drug shop where the seizure has been made, this Court is inclined to extend him privilege of anticipatory bail.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Begusarai in connection with Nowkothi P.S. Case No. 104 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his



bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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