

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77847 of 2024

Arising Out of PS. Case No.-149 Year-2024 Thana- BEERPUR District- Begusarai

Vishal Kumar son of Dharambir Ray R/P- Hariharopur (Baraiopura) P.S-
Birpur Dist- Begusarai

The State of Bihar

Versus

... .. Petitioner/s

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Nakul Kumar Jamuar, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-11-2024 Heard learned counsel for the petitioner and Mr.

Shahabuddin Azeem @ S. Azeem, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Birpur P.S. Case No. 149 of 2024 instituted for the offence under Sections 223, 351(2) of the BNS and Section 25(9) of the Arms Act.

3. The case of the prosecution is that one video was uploaded on social media wherein the petitioner was seen with country made pistol.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this



case. From perusal of the F.I.R., it is clear that the informant who is police official, has only verified video but has not seized the alleged illegal weapon. Nothing has been recovered from the conscious possession of the petitioner. It has further been argued by learned counsel for the petitioner that the petitioner along with others was taking part in a play and video of that play was made viral. It has also been submitted that petitioner is having clean antecedent and he is selected in *Agniveer* examination and due to village politics, he has been implicated in this case.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Birpur P.S. Case No. 149 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai subject to the conditions as laid



down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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