

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80468 of 2023

Arising Out of PS. Case No.-210 Year-2023 Thana- VISHNUPAD District- Gaya

ANJAY KUMAR @ BOBBY S/O SANJAY KUMAR YADAV R/O
VILLAGE- KHATKACHAK, P.S- VISHNUPAD, DISTT.- GAYA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.N.P. Singh, Senior Advocate
		Mr. S.P Singh, Advocate
For the Opposite Party/s :		Mr. Md. Matloob Rab, APP-34

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his/her arrest in connection with Vishnupad P.S. Case No. 210 of 2023, registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and 25(1-b)a, 26, 35 Arms Act.

3. As per the First Information Report, on 25.07.2023, on the basis of secret information, the police party reached near *Bargad* tree where some persons were found making planning for committing dacoity and upon seeing the police party, the miscreants started fleeing away but three persons were arrested and two persons succeeded in fleeing away. Upon search the police recovered one country made pistol



from accused Chandan Kumar. One Pulsor bike was also found from his possession and one loaded country-made pistol was also recovered along with one Apache motorcycle from the possession of accused Achay Kumar @ Chotu. One live cartridge was recovered from possession of one accused Raushan Kumar. The name of the petitioner was disclosed by co-accused Achay Kumar @ Chotu.

4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has been made accused on the basis of confessional statement of the arrested person. He further submits that the co-accused Achay Kumar @ Chotu had a previous enmity with the petitioner during a cricket match and accordingly he has disclosed the name of the petitioner. Learned counsel states that the petitioner is a meritorious student and, at present, is pursuing B. Sc Part-I course in the college.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is a student having clean antecedent and no incriminating materials have been found in his possession, I am inclined to grant the petitioner privilege of anticipatory bail.

6. Let the petitioner Anjay Kumar @ Bobby, in the



event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Vishnupad P.S. Case No. 210 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Anil Kumar Sinha, J)

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