

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82324 of 2023

Arising Out of PS. Case No.-306 Year-2023 Thana- ARA NAGAR District- Bhojpur

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Tunna Kumar S/O Janardan Rai R/O Raghutola, P.S- Ara Town, Distt.- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Nath Sinha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Ara Town P.S. Case No. 306 of 2023 registered for the offences punishable under Section 399, 402 of the Indian Penal Code and Section 25(1-B)a, 26, 35 of the Arms Act, pending in the Court of learned Chief Judicial Magistrate, Ara, Bhojpur.

3. Recovery is of one country made pistol, three live cartridges and one mobile from the possession of co-accused Suraj Kumar and two live cartridge, one mobile from the possession of co-accused Akhilesh and one motorcycle was also recovered from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner was not apprehended from the spot. He further submits that apprehended persons have disclosed the name of the petitioner and police has falsely implicated the name of the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of the bail application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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