

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83765 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- Panchanpur District- Gaya

Narayan Kumar S/O Ramanuj Sharma R/O Vill- Kusap, Po-Mahamanna, Ps-
Panchanpur, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Soni Shrivastava, Advocate Mr. Sanjay Kumar Singh, Advocate Mr. Gaurav Singh, Advocate
For the Opposite Party/s	:	Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Panchanpur P.S. Case No. 126 of 2024 dated 15.10.2024
instituted for the offence punishable under Sections 310(4),
310(5) of the Bhartiya Nyaya Sanhita and under Sections 25(1-
b)a, 26, 35 of the Arms Act.

3. The prosecution case, in short, is that, on
15.10.2024, the informant got a confidential information that
Narayan Kumar (petitioner) along with 5-6 persons armed with
illegal Arms have been gathered near the brick Kiln of
Kaushalendra Sharma with a view to commit serious offence.



When the informant along with other police personnel reached near the place of occurrence, 5-6 persons began to run away here and there. In the light of torch, Narayan Sharma (petitioner) was identified and in course of escape, some articles were thrown by the accused persons. The accused persons took advantage of darkness as well as bushes and managed to escape. It is further stated that a pistol with an empty magazine, one mobile phone and one motorcycle were recovered and seized from the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner has been made accused in this case only on the basis of secret information. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the seized motorcycle does not belong to the petitioner. During the course of investigation, it has been found and verified from Transport Office that the seized motorcycle belongs to one Anil Singh. Lastly, it has been submitted that petitioner has one criminal case against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Panchanpur P.S. Case No. 126 of 2024, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VIII, Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C. as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Khatim Reza, J)

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