

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86787 of 2024

Arising Out of PS. Case No.-164 Year-2024 Thana- BANJARIA District- East Champaran

Anup Kumar Son of Ramu Sahni Resident of Vill- Chilwaniya, P.S.-
Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Banjariya P.S. Case No. 164 of 2024 instituted for the offences
under Sections 310(4), 310(5), 317(5) of the Bharatiya Nyaya
Sanhita and Sections 25(1-b)a, 26, 35 of the Arms Act

3. Prosecution case, in short, is that, on the basis of
information that some miscreants have assembled at the spot to
commit crime, police raided the aforesaid place. Seeing the
police, the miscreants tried to flee away but four of them were
apprehended by police and search was made. It is alleged that
Indian currency notes amounting to Rs. 400/- and Nepali
currency notes amounting to Rs. 200/- have been recovered



from this petitioner.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. Learned counsel further submitted that no recovery of any firearms has been made from this petitioner, rather the arms and ammunitions have been recovered from co-accused Rizwan Alam who has already been granted bail by a co-ordinate Bench of this Court vide order dated 05.10.2024 passed in Cr. Misc. No. 71892 of 2024. Except the currency notes, no incriminating material has been recovered from the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.07.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Banjariya P.S. Case
No. 164 of 2024.

Alok Verma/-
(Rudra Prakash Mishra, J)

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