

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1253 of 2024

Arising Out of PS. Case No.-192 Year-2023 Thana- PURAINI District- Madhepura

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Fighter Mehra S/o Chandika Ram @ Chandika Kahar R/o village-
Gorhiyari, Gwarpar, P.S-Bihariganj, District-Madhepura Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Puraini P.S. Case No. 192 of 2023, registered for the offences
punishable under Sections 25(1-b)a/25(9)/26/35 of the Arms Act and
Section 08(c)/21(A) of Narcotic Drugs and Psychotropic Substances
Act.

3. As per allegation, on the tip off, the informant along
with police personnel proceeded towards the place of occurrence. It
is further alleged that accused Jai Jai Sahni was apprehended. It is
further alleged that on strict interrogation, he revealed that he along
with other accused persons was sitting with arms for the purpose of
committing loot and seeing the police party we, all fled away. In
course of fleeing away arms, cartridges and smack were kept hidden
in bamboo clamp. On this information the informant reached at the
said bamboo clamp and recovered a country-made pistol and a



cartridge.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated merely on the basis of confessional statement of co-accused Jaijai Sahani, on whose confession, 53mg smack and a pistol was recovered from the bamboo clamp situated behind the house of Mantu Sah. The petitioner is a person of clean antecedent. Nothing was recovered from his conscious possession. He was not arrested at the spot and his name has figured in confessional statement of co-accused. The quantity of recovered smack was less than small quantity.

5. Considering the above-mentioned facts and circumstances, let the petitioner, 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 Additional District and Sessions Judge-Ist, Madhepura in connection with Puraini P.S. Case No. 192 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(i) After accepting the bail bond, the learned court below shall verify the criminal antecedent of the petitioner.

(Nawneet Kumar Pandey, J)

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