

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10885 of 2024

Arising Out of PS. Case No.-370 Year-2022 Thana- SARAI District- Vaishali

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Anshu Kumar S/O UDAY SINGH VILLAGE- ANJANI, PS. SARAI,
DIST.VAISHALI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hemant Kumar, Adv.

For the Opposite Party/s : Mr.Bharat Bhushan, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 25(1-b)a, 26, 35 of Arms Act.

3. As per the prosecution case, on 20.11.2022 at about 18.20 PM, the informant along with other co-accused persons saw that two persons on a motorcycle bearing registration no. BR31AM 5989 are coming and on seeing the police, they started fleeing away. The police chased the miscreants out of which one was apprehended and disclosed the name of the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence.



No such occurrence as alleged has ever taken place. No incriminating article has been recovered from the conscious possession of the petitioner and from his house. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He has been made accused in the present case merely on the basis of the confessional statement of the apprehended co-accused, namely, Ratan Kumar which has no evidentiary value in the eye of law. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that petitioner is also involved in the present case, hence he does not deserve the privilege of anticipatory bail.

6. Having regard to the facts and circumstances of the case, as petitioner has no criminal antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with



Sarai P.S. Case No. 370 of 2022, subject to the condition as laid
down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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