

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5640 of 2024

Arising Out of PS. Case No.-723 Year-2023 Thana- GARDANIBAG District- Patna

Sahil Kumar @ Sahil Raj S/O PREM KUMAR MOHALLA- EAST
MAHABIR COLONY, PS. BEUR, DIST. PATNA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rang Nath Choubey

For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-02-2024 Heard the parties.

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

3. Allegedly, police arrested one Amar Kumar and he disclosed the name of the petitioner and two others as his associates who co-operated with him in trying to kill Purushottam Kumar.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the



petitioner and his name transpired in the present case only on the basis of confessional statement of apprehended co-accused. He submits that police arrested one Amar Kumar and from his possession recovered a country made pistol and motorcycle. He further submits that there is no recovery of any incriminating article from the possession of the petitioner. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her 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 Gardanibagh P.S. Case No.723 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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