

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1532 of 2024

Arising Out of PS. Case No.-170 Year-2023 Thana- MAHKAR District- Gaya

Advani Kumar @ Ravish Kumar Son of Naval Yadav R/o vill - Gorandih, P.s.
- Mahkar, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Mahkar P.S. Case No.170 of 2023 registered for the offences punishable under Sections 25(1)a, 25(9) of the Arms Act. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the petitioner was found photographed with a country made pistol.

4. Learned counsel for the petitioner submits that this petitioner is said to have been made accused on the basis of a photo said to have been sent by someone from the village to the police officer showing that the petitioner was photographed with a country made pistol but in course of raid in his house no arm

was recovered from the house of the petitioner.

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

6. Having regard to the facts and circumstances of the case wherein this petitioner is said to have been made accused on the basis of a photo said to have been sent by someone from the village to the police officer showing that the petitioner was photographed with a country made pistol but in course of raid in his house no arm was recovered from the house of the petitioner, in the nature of the allegation, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Gaya in connection with Mahkar P.S. Case No. 170 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the

acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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