

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.553 of 2025

Arising Out of PS. Case No.-211 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Arun Sah @ Arun Kumar Son of Swaminath Sah Resident of Village-
Konhawa Police Station -Gopalganj Town, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Harshvardhan, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-02-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Kuchaikote PS case no. 211 of 2024, disclosing
offences punishable under Sections 25(1-b)a, 26, 35 of Arms
Act.
3. The prosecution story, as per the First Information
Report, is that on 13.05.2024, Police got information that some
miscreants have assembled and were planning to commit crime.
They proceeded towards the place of occurrence and saw that 03
persons were talking with one another. On seeing the police
party, all the three persons started fleeing away by leaving the
motorcycle and waiving pistol. Thereafter, Police apprehended
one person who was trying to start motorcycle. Other two



persons managed to escape from the place of occurrence. Apprehended accused person told his name as Warish Ali and disclosed the name of one of the co-accused who succeeded in fleeing away as Tahir Hussain. Police recovered one countrymade loaded pistol, one live cartridge in the magazine and Redmi screen touch mobile phone from the arrested accused person and also recovered knife thrown by co-accused Tahir Hussain, screen touch mobile phone, red-colour purse, Adhar card, Pan card etc. Police also recovered motorcycle belonging to the petitioner from the place of occurrence.

4. Learned Counsel for the petitioner submits that petitioner has been made accused on disclosure of his name by the arrested co-accused, from whose possession, firearm was recovered by the Police. Learned counsel further submits that petitioner is having no criminal antecedent and co-accused Tahir Hussain, from whose possession, mobile phone, purse, Adhar card, Pan card and knife were recovered, has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 09.01.2025, passed in Cr. Misc. No. 90280 of 2024. He also submits that petitioner is 19 years old having no criminal antecedent and his motorcycle was borrowed by his friend and he was not aware about the same being used for committing



crime.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that similarly situated co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court, petitioner is having no criminal antecedent and is aged about 19 years old, I am inclined to grant the privilege of anticipatory bail to the petitioner, subject to the condition that he will not indulge in any similar case in future.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on 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 Sessions Judge-V, Gopalganj in connection with Kuchaikote PS case no. 211 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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