

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13569 of 2025

Arising Out of PS. Case No.-110 Year-2024 Thana- BELDOUR District- Khagaria

Raj Kumar Mukhiya S/O Late Thakur Mukhiya Resident of Hazi Nagar
Bekampur, P.S.- Beldaur , District- Khagaria (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Sinha, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Beldaur P.S. Case No. 110 of 2024 instituted for the offences under Sections 25(1-b)a, 26, 29, 35 of the Arms Act.

3. As per the F.I.R., on the basis of secret information, police raided the house of co-accused Gautam Mukhiya and recovered one country-made pistol and ten live cartridges.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of disclosure made by co-accused Gautam Mukhiya. No incriminating article has been recovered from the conscious possession of the petitioner.



Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. It has been submitted on behalf of the petitioner that the petitioner has one criminal antecedent. There is no compliance of Section 100 of the Cr.P.C. The co-accused person has already been granted regular bail by this Court vide order dated 14.02.2025 passed in Cr. Misc. No. 9654 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that petitioner has one criminal antecedent of similar nature and, therefore, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and the petitioner being involved in the similar nature of offence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of bail is rejected. However, liberty is granted to the petitioner to surrender before the learned court below within six weeks and seek regular bail.

(Rudra Prakash Mishra, J)

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