

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8951 of 2025

Arising Out of PS. Case No.-205 Year-2024 Thana- JAMHOR District- Aurangabad

Alakh Niranjana Singh S/o- Parsuram Singh Village- Kachanama P.S. Belaganj
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate
For the Opposite Party/s : Dr. Indivar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jamhore P.S. Case No.205 of 2024, F.I.R. dated 29.10.2024 registered for the offence punishable under Sections 338, 336(3), 340(2), 3(5) of Bhartiya Nyaya Sanhita 2023 and 25(1-b)a, 26, 35 Arms Act.

3. The prosecution story, in brief is that the informant along with other police personnel reached village-Timal Bigha for conducting raid. When the informant reached there, he saw that five persons were coming carrying backpack and trolley with them and the informant signaled them to stop, all the five persons started fleeing away, somehow two persons were apprehended by the police who disclosed their names as Salik Kumar and Uttam Kumar. On search, 260 live cartridges and 60



bullets respectively have been recovered from inside the trolley which was carried by Salik Kumar and on the search of backpack which was carried by Uttam Kumar, 300 live cartridges and 200 bullets respectively have been recovered. Upon inquiry they disclosed the named of their associates who have succeeded to escape as Rakesh Kumar Singh, Alakh Niranjana Singh and Dilip Kumar Sharma respectively. The apprehended persons i.e. Salik Kumar and Uttam Kumar failed to produce any valid document or license in that regard to the live cartridges/bullets. They further disclosed that they are engaged in the business of selling and purchasing arms and ammunition by making forged and fabricated documents. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent. He has falsely been implicated in the present case on the basis of the confessional statement made by the co-accused person, namely, Salik Kumar and Uttam Kumar. He further submits that it appears from the F.I.R. itself that nothing has been recovered from the conscious possession of the petitioner, rather the recovery has been made from the other co-accused persons and except the aforesaid, no other cogent material has come during investigation to suggest the



involvement of the petitioner in the present occurrence.

5. Learned APP for the State, on the other hand vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts that petitioner has clean antecedent and the name of the petitioner has transpired on the confessional statement of co-accused persons, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., 7th, Aurangabad in connection with Jamhore P.S. Case No.205 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of anticipatory bail.

(iii) 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 antecedents, the court below shall take step for cancellation of anticipatory 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.

(Rajesh Kumar Verma, J)

Prakash Narayan

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