

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19889 of 2025

Arising Out of PS. Case No.-66 Year-2024 Thana- BALIYA District- Begusarai

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Durgaish Kumar Son of Arun Singh Resident of village -Bariarpur PS -Balial,
Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Vinod Gautam, Advocate
For the State : Mr. Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-04-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 25(9) of the
Arms Act.

3. As per prosecution case, co-accused Vikash Kumar
was apprehended by the police for brandishing arms and
ammunition in photographs and he disclosed that the same was
provided to him by all other F.I.R. named accused persons.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is quite innocent and has
committed no offence. No incriminating article has been
recovered from conscious possession of this petitioner and he
has been made an accused in this case merely on the basis of



confessional statement of co-accused person. Except confessional statement, there is no material on record to show the complicity of this petitioner in the alleged occurrence. Petitioner has got no criminal antecedents of similar nature.

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

6. Considering the general and omnibus nature of accusation and fact that no incriminating article has been recovered from conscious possession of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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 Chief Judicial Magistrate, Begusarai in connection with Balia P.S. Case No. 66 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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