

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26530 of 2025**

Arising Out of PS. Case No.-432 Year-2024 Thana- BANMANKHI District- Purnia

Hani Singh @ Nitin Kumar Singh @ Nitin Kumar Son of Santosh Kumar
Singh Village- Dhima, Ward no 20, P.S.- Banmankhi, District -Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Banmankhi P.S. Case No. 432 of 2024 registered for the offences punishable under Sections 310(4), 310(5), 317(5) of the B.N.S. and 25(1-b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, during raid when the police officials reached at Durga Asthan, they saw that two motorcycles were parked and five persons were sitting together and planning something. On seeing the police, all the persons started running. On chase, four persons, namely, co-accused Anil Kumar, Aman Kumar, Dharendra Kumar, Abhay Kumar and were apprehended on the spot and one person managed to escape from the place of occurrence. It is alleged that one one black coloured



Splendor Plus motorcycle (without registration number), one Oppo company mobile and one *desi katta* were recovered from the possession of co-accused Anil Kumar and after unloading the same one live cartridge was also recovered. Further, one Samsung company mobile, Rs. 1500/- (in cash) and two live cartridges were recovered from the possession of co-accused Aman Kumar. Further, one *desi katta* was also recovered from the possession of co-accused Dharendra Kumar and after unloading the same one live cartridge was recovered. It is alleged that one Oppo company mobile, Rs. 1150/- (in cash) and one Hero Splendor motorcycle bearing Registration No. BR11BE8350 were also recovered from the possession of the co-accused Dharendra Kumar. Further, two live cartridges, one Motorola company mobile and Rs. 1000/- (in cash) were recovered from the possession of the co-accused Abhay Kumar. Apprehended co-accused persons disclosed that the aforesaid arms were given to them by the petitioner and other.

4. Learned counsel for the petitioner submits that except disclosure of the said apprehended co-accused persons, there is nothing on record to demonstrate the complicity of the petitioner with the alleged occurrence. Petitioner was not found at the place of occurrence. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He has no concern with the alleged occurrence.



Petitioner bears no criminal antecedent. No incriminating article has been recovered from the possession of the petitioner.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, 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 CJM, Purnea in connection with Banmankhi P.S. Case No. 432 of 2024, subject to the conditions as laid down under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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