

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 30157 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- MALI District- Aurangabad

Vivek Kumar @ Vivek Bharti S/o Anil Bharti R/o vill - Pipra, P.S.- Mali,
Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-05-2025 Heard Ms. Mukul Kumari, learned counsel for the

petitioner and Mr. Anuj Kumar Shrivastava, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Mali P.S. Case No. 50 of 2025 for the offence under sections 25(1-b)a, 26 of the Arms Act, lodged on 22.02.2025 by the informant, Ranvir Singh.

3. As per the prosecution story, informant alleged that during investigation of Mali P.S. Case No.48 of 2025, the CCTV footage shows that Kumar Aniket was flashing pistol in his hand. His house was raided and there is recovery/seizure of country made pistol with cartridges. Upon investigation, he gave the name of the petitioner, who supplied him pistol/cartridges. This led to the FIR.



4. Learned counsel for the petitioner submits that the police already to implicate have lodged three cases against him, as would reflect from para-3, admittedly, only one person was flashing the pistol, he was Kumar Aniket and recovery/seizure is also found.

5. Learned APP opposes the prayer submitting that Kumar Aniket has given confessional statement naming this petitioner.

6. Taking into account the submissions of the parties as also that the recovery/seizure is from Kumar Aniket, FIR lodged, this petitioner's name has come in the confessional statement, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M., Aurangabad, in connection with Mali P.S. Case No.50 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

anand/-

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