

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70941 of 2024

Arising Out of PS. Case No.-295 Year-2024 Thana- BUDDHACOLONY District- Patna

Manish Kumar Singh Son of Birendra Singh @ Birendra Kumar R/o Village-
Mehrolli, P.S.- Doriganj, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-01-2025 1. Heard learned counsel for the petitioner and Mr.
Sunil Kumar Pandey, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 25(1-b)(a),
26 and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant alleges
that on inputs provided by the STF, a Scorpio vehicle near
Buddha Colony Police Station was intercepted and four persons
were apprehended who disclosed their names as Pranay Kumar,
Mirtunjay Kumar, Abhijeet Kumar and Ashish Anand. Further
from Pranay a 7.65 mm white colour loaded pistol along with
four live cartridges, one empty magazine and a mobile were
recovered. Further, mobile was also recovered from other three
accused persons.



4. Learned counsel for the petitioner submits that petitioner is not named in the FIR nor the aforesaid four accused who were apprehended in their confessional statement took the name of the petitioner rather the police during the course of investigation apprehended one Amit who disclosed that if house of Vikash Pandey is raided in that event arms and ammunition can be recovered on which the house of Vikash was raided when the landlord Manish Mishra disclosed before the police that the flat was given on rent to the petitioner for 11 months, as such, the name of the petitioner transpired in the case. It is further submitted that none of the accused, who were apprehended in the case, has taken the name of the petitioner. It is next submitted that petitioner on the date of occurrence was not even present in Patna rather he was in Delhi. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

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

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Budha Colony P.S. Case No. 295 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his father Birendra Singh @ Birendra Kumar.

8. However, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. It is made clear that if the charge-sheet is submitted against the petitioner connecting him with the offence in that event the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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