

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72245 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- DORIGANJ District- Saran

Manohar Rai S/O Lalit Rai R/O Village-Chakiya, P.S.-Doriganj, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 22-03-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State, Mr. Chandra Bhushan Prasad.
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 is a person with clean antecedent and the informant alleges that the police raided the house of Lal Babu Rai from where Lal Babu Rai was apprehended and on his disclosure 133 live cartridges were recovered from a hut.
4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated based on confessional statement of Lal Babu Rai in



police custody which does not have any evidentiary value.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that 133 live cartridges were recovered and from perusal of the allegation as alleged in the FIR, it would manifest that the STF team had gone to apprehend Lal Babu Rai in Koilwar P.S. Case No. 210 of 2024 registered under Section 302 and 34 of the IPC read with Section 27 of the Arms Act, it is next submitted that it was based on disclosure of Lal Babu Rai that 133 live cartridges were recovered and the name of the petitioner transpired in his confessional statement as such if the privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

6. Considering the submissions made by the learned counsel for the petitioner, 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 bonds of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case



is pending/successor court in connection with Doriganj P.S.
Case No. 126 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 namely Lalit Rai.

8. However, it is made clear that in the event if the
Investigating Officer of the case files an application before the
learned Trial Court bringing to its notice that petitioner despite
giving assurance to this Court is not co-operating in the
investigation, in that event the learned Trial Court shall be at
liberty to forthwith cancel the bail bonds of the petitioner.

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

(Satyavrat Verma, J)

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