

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79776 of 2024

Arising Out of PS. Case No.-109 Year-2024 Thana- PUNAURA District- Sitamarhi

Arvind Kumar Son of Late Raghuwar Rai @ Raghuvir Ray Resident of
Village - Vishwakarma Nagar, Ward No.6, P.S. - Punaura, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh, Adv.

For the Opposite Party/s : Mrs.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 399, 402, 120B of the Indian Penal Code and Sections 25(1-B)a, 26, 35 of the Arms Act.

3. The prosecution case, in brief, is that on 23.05.2024, while the informant was on patrolling duty, he received a secret information that some miscreants have assembled near the mango orchard in village Rampur and are preparing for committing *dacoity*. On that information, informant alongwith other police personnel reached there and apprehended one person Md. Mahfuz Alam @ Rehan with one loaded pistol and four live cartridges, whereas other persons fled



away from there and the apprehended person disclosed the name of petitioner and others, who allegedly fled away from the spot.

4. Learned counsel for the petitioner submits that petitioner has been made accused in this case on the basis of confessional statement of co-accused Mahfuz Alam, who was apprehended on spot with one pistol and live cartridges and said co-accused has already been granted bail by a coordinate Bench of this Court, vide order dated 07.10.2024 passed in Cr.Misc. No. 66816/2024 (Annexure P/2). No arms or ammunition has been recovered from the possession of this petitioner. Similarly situated co-accused Bittu Kumar and Karan Mandal have been granted anticipatory bail by this Court on 23.10.2024, vide Cr.Misc. Nos. 72093/2023 and 68242/2024 respectively.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below 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 C.J.M., Sitamarhi in connection with Punaura P.S. Case No. 109 of 2024, subject to condition as laid



down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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