

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88711 of 2024

Arising Out of PS. Case No.-554 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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Nirmal Kumar Son of Paramanand Paswan Constable No. 685, Town P.S.,
Distt.- West Champaran, Bihar. Residence of Village and P.O.- Patam, P.S.-
Naya Ram Nagar, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 08-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Town P.S. Case No. 554 of 2024 for the offence under sections 316(5) of the Bhartiya Nyaya Sanhita lodged on 02.09.2025 by the informant, Shivaji Prajapati.

3. As per the prosecution story, the informant alleged that the petitioner serving as a constable, while posted at Motihari, received two Government pistols in the year 2019 and 2020 beside the rifle butt no. 43/bullets. However, after he was transferred to the Bettiah District Force, the petitioner surrendered only one 9 mm pistol and fraudulently obtained NOC by keeping the Office in dark. Once the weapons/bullets were verified in the Motihari Armory Police Center, it was



found that the rifle/bullets/pistol issued to him are missing. Upon request to the petitioner to surrender the rifle, he chose to look the other way despite having been threatened to initiate the disciplinary proceeding against him. This led to the FIR.

4. Though learned counsel for the petitioner tried to impress upon this Court that due to local politics between the Police Force, he has been implicated, learned APP submits that it is a serious case where a person serving in the Police force tried to keep the rifle/pistol illegally and only after the checking of the Motihari Armory Police Center, it came to notice.

5. Considering the grave allegation that has been levelled against the petitioner being part of the Police Force is required to maintain discipline, in that background, in the opinion of the Court, no case of anticipatory bail is made out. It accordingly stands rejected.

(Rajiv Roy, J)

Adnan/-

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