

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90280 of 2024

Arising Out of PS. Case No.-211 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Tahir Hussain S/O Alauddin Miya @ Alaudrin Miyan Resident of Village-
Konhava, P.S- Gopalganj Town, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr Ashok Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-01-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Kuchaikote P.S. Case no. 211 of 2024, registered under sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, on information having been received with respect to the accused persons having gathered and planning to give effect to an occurrence, it is stated that a raid was conducted. Seeing the police personnel while two accused managed to escape, one of them was caught. A loaded country made pistol was recovered from the accused who was caught. On inquiry, he disclosed the names of the two persons who had managed to escape which included the petitioner herein. It is further stated that while escaping, a purse



fell down from the pocket of one of the accused which contained the Aadhar Card etc of the petitioner herein.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He was not caught at the place of occurrence nor any incriminating article recovered from his possession. The only material against him is the statement of the co-accused made before police. With respect to the purse having fallen down, it is submitted that no such incident took place and no incriminating article fell down from the petitioner's pocket. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R, the petitioner not having been caught at the alleged place of occurrence, no incriminating article having been recovered from the petitioner's possession and specially the petitioner not having any criminal antecedent, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with



Kuchaikote P.S. Case no. 211 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-I, Gopalganj.

(Partha Sarthy, J)

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