

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4403 of 2025

Arising Out of PS. Case No.-87 Year-2024 Thana- MURAR District- Buxar

Awadhesh Kumar @ Awadhesh Kumar Yadav @ Sukhari Yadav S/O Late
Shyamlal Yadav R/O Village- Purwatola, P.S- Brahmpur, Distt.- Buxar, Bihar.

... .. Petitioner/s
Versus
The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar Rai
Ms. Kumari Ruchi
Mr. Abhishek Kumar
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-03-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in connection with
Murar P.S. Case No. 87 of 2024 dt: 27.11.2024 registered for the
offence under Section 109(1), 292, 223, 125, 3(5) of the
Bhartiya Nagrik Suraksha Sanhita 2023 and Section 27, 25(1) of
the Arms Act.
3. As per the first information report on 27.11.2024 the
Police Officer / I.O. received a video showing celebratory gun
firing in a wedding ceremony and arrested the petitioner and the
petitioner disclosed that the gun belongs to Dashrath Yadav



from which firing was made by the petitioner.

4. Learned counsel for the petitioner submits that the petitioner after arrest on 27.11.2024 was produced before the Judicial Magistrate 1st Class, Buxar on 28.11.2024 and the learned Magistrate after taking note of the judgment passed by Hon'ble Supreme Court in Satendra Kumar Antil versus CBI reported in (2022) LiveLaw SC 57 and judgment of this court in the case of Naushad Ansari versus The State of Bihar dt. 13th February, 2024 including Arnesh Kumar versus The State of Bihar reported in (2014) 8 SCC 273 refused judicial remand of the petitioner as demanded by the informant and released the petitioner on personal bond vide order dt: 28.11.2024 at Annexure P-2. He further submits that due to ill advice by the petitioner's Advocate at Buxar, the petitioner filed a petition for anticipatory bail which has been rejected by the learned District & Additional Sessions Judge-XI, Buxar vide impugned order dt: 04.01.2025.

5. Having regard to the submission made by the parties, taking into consideration the fact that petitioner was already arrested and was produced before the learned Magistrate and Magistrate released the petitioner on personal bond, in my opinion there is no apprehension of arrest of the petitioner once



he has been released on personal bond by the learned Magistrate.

6. This application for anticipatory bail is accordingly disposed.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

