

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8857 of 2025

Arising Out of PS. Case No.-216 Year-2023 Thana- Mufassil District- Khagaria

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Sudin Yadav S/o- Sri Vijay Yadav @ Vijay Village- Barkhandi Tola PS-
Muffasil Po- Mothiar District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh

For the Opposite Party/s : Md. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 02-07-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Khagaria (Muffasil) P.S. Case No. 216 of 2023 registered
for the offences punishable under Sections 25(1-B) AA, 26(I)
(II) and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and the informant
alleges that he received secret information that in the field of
Jangli Mandal Tola manufacturing of arms is going on,



accordingly, a raiding team was constituted and the police reached the place of occurrence from where Chedi Yadav and Ranvir Yadav were apprehended and two accused fled, the apprehended accused disclosed the name of the petitioner and Rahul and from the place of occurrence incriminating articles used for purposes of manufacturing of firearm were recovered.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession. It is also submitted that his name transpired in the confessional statement of apprehended accused in police custody which does not have any evidentiary value. It is also submitted that similarly situated co-accused Rahul had approached this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 85151 of 2023 and the same came to be allowed by an order dated 18.01.2024, on which the learned APP submits that Rahul was granted the privilege of anticipatory bail for the reason that he was a person with clean antecedent, but then petitioner has antecedent of two cases of similar nature, as the one alleged in the instant FIR. It is also submitted that investigation of the case is in its nascent



stages and in the event if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond.

5. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. Accordingly, the instant anticipatory bail application is rejected.

(Satyavrat Verma, J)

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