

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11852 of 2025

Arising Out of PS. Case No.-248 Year-2024 Thana- PATNA CITY CHOWK District- Patna

1. Arjun Kumar Son of Late Sadhu Sah Resident of Village - Kawakhoh, P.S. - Chowk, Patna City, District – Patna.
2. Pintu Tiwary @ Pintu Kumar Son of Late Mahesh Tiwary Resident of Village - Similichak, P.S. - Didarganj, District - Patna, at present Resident of 207, Chinakothi, P.S. - Budha Colony, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Chandra Ojha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-04-2025 1. Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

2. The both accused/petitioners are named in F.I.R. and apprehending their arrest in connection with Chowk P.S. Case No. 248 of 2024, registered for the offences punishable under Section 399/402 of Bhartiya Nyaya Sanhita and Section 25 (1-b)a/26/35 of the Arms Act.

3. The allegation against both above named petitioners is to involved in preparation of dacoity alongwith other co-accused persons, where apprehended co-accused persons were found in possession of firearms.

4. Learned counsel appearing on behalf of the petitioners submitted that factual aspects of this case



prima facie not supporting the allegation as preparation for dacoity. It is submitted that merely as one country made pistol was recovered from one of the apprehended co-accused person, on the said basis, it cannot be said that the petitioners were involved in preparation for dacoity. It is pointed out that both petitioners are of clean antecedents.

5. Learned APP opposed the prayer of anticipatory bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as name of petitioners transpired in this case on the basis of disclosure of apprehended co-accused persons, coupled with the fact that both petitioners are of clean antecedents, accordingly, both above named petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Patna City/concerned Court, where the case is pending in connection with Chowk P.S. Case No. 248 of 2024, subject to the conditions as laid down under Section



438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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