

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19035 of 2025

Arising Out of PS. Case No.-586 Year-2024 Thana- KHAGARIA District- Khagaria

Sanjay Yadav Son of Late Nandkishore Yadav Resident of Village- Chakkipar,
P.S.- Gangaur, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-04-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 25(1-B)a,
25(1-AA) and 26(2) of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that he received secret information that petitioner is
running a mini gun factory in his Basa, accordingly, the place was
raided when one person fled away and his name was disclosed by
those who were working in the field. Further, from the place of
occurrence, some articles were recovered which are used for
manufacturing of arms, semi prepared arms and cartridge along
with one live cartridge.

4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is further submitted that the Basa from where it is being alleged that the articles were seized does not belong to the petitioner and is situated in a Diyara but then in the FIR it has been alleged that Basa belonged to the petitioner. It is next asserted and submitted that petitioner is a person with clean antecedent and has been implicated at the instance of the Chawkidar with whom he is on an inimical term who is also a witness on the seizure list.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the allegations are serious as informant alleges that he had secret information that petitioner was indulging in manufacturing of arms. It is further submitted that though arms were not recovered but then materials used for manufacturing of arms were recovered from the place of occurrence. It is next submitted that if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond on which learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Khagaria (Gangaur) P.S. Case No. 586 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his uncle, namely, Ashok Yadav.

8. However, it is made clear that if the investigating officer of the case files an application bringing to the notice of the learned trial court that petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. It is made clear that if the charge-sheet is submitted against the petitioner connecting him with the offence in that event the present anticipatory bail order shall lose its effect.

10. Let a copy of this order be sent to the concerned police station through the learned trial court.

(Satyavrat Verma, J)

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