

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26266 of 2025

Arising Out of PS. Case No.-70 Year-2024 Thana- PATAHI District- East Champaran

Niraj Sah S/o- Anil Sah @ Anil Kumar Prasad Resident of Village -
Padumker, Police Station- Patahi, District- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Patahi P.S. Case No. 70/2024 registered for the offences punishable under Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per prosecution case, there is alleged recovery of one country made pistol and two live cartridges from the possession of co-accused Abdul Firoz alongwith one motorcycle. Apprehended co-accused disclosed the name of petitioner who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. He orally submits that petitioner bears one criminal



antecedent in which he is on bail. Except disclosure of said co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. The petitioner was not found on the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. He orally submits that the petitioner is not owner of the alleged motorcycle in question. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the aforesaid sections.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner by submitting that the petitioner bears one criminal antecedent.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Patahi P.S. Case No. 70/2024, subject to the



conditions as laid down under Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

amitkumar/-

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

