

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22875 of 2025

Arising Out of PS. Case No.-62 Year-2024 Thana- KALYANPUR District- Samastipur

Vijay Kumar S/o- Mahesh Ray Village- Akbarpur Ward No-10 PS- Kalyanpur
Distt-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Om
For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 31-10-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kalyanpur P.S. Case No. 62/2024 dated 11.03.2024 registered for the offences punishable u/s 399 and 402 of the Indian Penal Code and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, a pistol without magazine was recovered from the possession of the co-accused, Shivam Kumar and one pistol and three live cartridges were recovered from the possession of the co-accused, Ramesh Kumar when the petitioner and the co-accused persons were



assembled for making preparation to commit crime.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The name of the petitioner was transpired in this case in the confessional statement of the co-accused persons. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The other co-accused person has already been granted anticipatory bail by this court *vide* order dated 25.04.2025 passed in Cr. Misc. No. 1375/2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Samastipur in connection with Kalyanpur P.S. Case No. 62/2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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