

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25603 of 2025

Arising Out of PS. Case No.-315 Year-2023 Thana- MUNGER MUFFASIL District- Munger

Subham Kumar @ Sonu Kumar @ Subham Raj S/o Kishore Yadav @ Kishor
Yadav @ Kishor Prasad R/o Village- Mahuli, P.S.- Muffasil, District- Munger,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Adv.
Ms. Diksha Kumari
For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-05-2025 1. Heard learned Senior Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Mufassil Police Station Case No. 315 of 2023, dated 11.09.2023, disclosing offences punishable under Sections 25(1-b)a/26(ii) (iii)/35 of the Arms Act.
3. The prosecution case, as per the First Information Report lodged by Ranjeet Kumar, Sub-Inspector of Mufassil Police Station, is that on 10.09.2023 in the night at about 10 PM, the police received information from social media that two persons were holding pistols, reached near the house of one Piyush kumar and arrested him. He disclosed the name of other person as Sudarshan Kumar.



Upon search of the house of Piyush Kumar and Sudarshan Kumar, one country-made pistol, along with six live cartridges were recovered from the house of Piyush Kumar and one country-made pistol along with six cartridges were recovered from the house of Sudarshan Kumar. Upon query, the accused person disclosed that the recovered arms and ammunition belong to the petitioner.

4. Learned Senior Counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive. The mother of the petitioner has lodged a complaint case, bearing Complaint Case No. 966 (C) of 2023 in the Court of learned Chief Judicial Magistrate, Munger, on 31.08.2023, against the informant Ranjeet Kumar, alleging harassment to the parents of the petitioner. The petitioner's mother is a social worker and has contested the assembly election also. The present case has been instituted on 11.09.2023 after the complaint case was filed by the mother of the petitioner on 31.08.2023. The arms and ammunition has been recovered from the houses of co-accused persons, who were arrested at the spot. The two criminal antecedents, which has been referred in the impugned order, is not related to the



petitioner inasmuch as the petitioner is not an accused in Mufassil Police Station Case No. 52 of 2022, as would be evident from the copy of the First Information Report of Mufassil Police Station Case No. 52 of 2022 (Annexure P/1). Insofar as the criminal antecedent of the petitioner relating to Mufassil Police Station Case No. 47 of 2020 is concerned, the same was registered against the petitioner and his family members on the basis of the fact that in the marriage ceremony of the elder brother of the petitioner, celebratory firing was made by the family members. The petitioner is aged about 22 years and is a bright student and has recently cleared the preliminary examination of Integrated 70th (Preliminary) Combined Competitive Examination, conducted by the Bihar Public Service Commission in his first attempt.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation and the fact that complaint case was lodged by the mother of the petitioner against the informant of the present case prior to the lodging of the present First Information Report and the recovery of arms and ammunition has been made from the house of other co-



accused persons, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger, in connection with Mufassil Police Station Case No. 315 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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