

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24065 of 2025

Arising Out of PS. Case No.-1279 Year-2024 Thana- MAHUA District- Vaishali

Rahul Kumar S/o Mundesh Paswan @ Mundeshwar Paswan R/o Karhari
Ghata, P.S.- Bhagwanpur, Distt.- Vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Abhigyan
For the Opposite Party/s : Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-04-2025 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 111,
317(3) of the Bharatiya Nyaya Sanhita and Sections 25(1-B)a,
26 and 35 of Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case. It is next submitted that
from perusal of the allegation as alleged in the FIR, it would
manifest that petitioner was not apprehended from the spot
rather his name transpired in the confessional statement of
apprehended accused in police custody, which does not have
any evidentiary value. It is further submitted that petitioner was
a person with clean antecedent but then the accused who took



his name in his confession, alleged that petitioner was involved in an occurrence earlier with him on account of which he came to be implicated in Mahua PS Case No. 1269 of 2024 also. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, 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 bonds of Rs. 25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahua P.S. Case No. 1279 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

6. One of the bailors of the petitioner shall be his father, Mundesh Paswan @ Mundeshwar Paswan.

7. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner,



despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner after recording reasons.

8. 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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