

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25522 of 2025

Arising Out of PS. Case No.-56 Year-2024 Thana- SHRIKRISHNAPURI District- Patna

1. Sanjeev Kumar @ Bhim Mahto S/O Naresh Mahto @ Naresh Prasad R/O Village- Dargahi Tola, Lemuabad, P.S- Pandarak, Distt.- Patna.
2. Gayan Raj S/O Dinesh Sao R/O Village/Mohalla- Balva, P.S- Ghoshwari, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 07-05-2025 Learned counsel for the petitioner prays for and is allowed to withdraw the anticipatory bail application with regard to petitioner no. 1, Sanjeev Kumar @ Bhim Mahto who according to him has been arrested.

2. Heard the parties.

3. The petitioners are apprehending their arrest in connection with Sri Krishnapuri P.S. Case No. 56 of 2024 for the offence under sections 25(1-B)a, 26 and 35 of the Arms Act lodged on 23.02.2024 by the informant, Vijay Kumar Singh.

4. As per the prosecution story, the informant alleged that on secret information, the Police raided the boys hostel, Fulchand Yadav and Kundan Chaudhary were arrested and they



gave the name of the petitioners. From Fulchand Yadav there is recovery of carbine with eight live cartridges with one cartridge in the chamber while from Kundan Chaudhary, two country-made revolver with five live cartridges in the pocket and a mobile. In the room country-made pistols, empty cartridges, live cartridges, laptop and motorcycle was recovered. This led to the FIR.

5. Learned counsel for the petitioners submit that the name has come in the confessional statement though the petitioner no. 2 has two criminal antecedent and the last submission is that one of the co-accused has been extended privilege of anticipatory bail by a Coordinate Bench.

6. Learned APP opposes the prayer submitting that firstly, they were in the game of selling and purchasing of the ammunition and secondly, the case of the petitioner no. 2, Gayan Raj is different from the co-accused, Neeraj Kumar inasmuch as the record shows that the said accused was having clean antecedent, the relief as such was granted, whereas in this case, the petitioner no. 2 is an accused in Barh P.S. Case No. 180 of 2024 as also Barh P.S. Case No. 366 of 2024 and in both the cases, amongst other, Section 307 of the IPC has been incorporated in the FIR.



7. Considering the submissions of the parties as also the fact that the petitioner no. 2, Gayan Raj has criminal antecedents and the allegation is grave, in that background, no relief can be extended to him.

8. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

Adnan/-

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