

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26775 of 2025

Arising Out of PS. Case No.-486 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Vikash Kumar @ Vijji @ Vikash Son of Dinesh Sahani @ Dinesh Chaudhary
Village- Murtujapur, Ward No 6 Shambhupatti, P.S- Muffasil District
-Samastipur

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-05-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Muffasil P.S. Case No. 486 of 2024 instituted under Sections 310(4), 310(5) of the B.N.S. and section 25(1-B)(a), 26, 35 of the Arms Act lodged on 10.11.2024 by the informant, Dipak Kumar.

3. As per the prosecution story, the informant alleged that on secret information, the Police raided the place and from the named accused there is recovery/seizure of country made pistol and live cartridge as also mobile phone which led to the arrest, FIR.

4. Learned counsel for the petitioner submits that he has absolutely no criminal antecedent and the name has come in



the confessional statement of co-accused as the person who escaped.

5. Learned APP opposes the prayer submitting that his name has come in the confessional statement.

6. Considering the submissions of the parties as also that the recovery/seizure is from the named accused, he has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail. However, if it is found that the petitioner has criminal antecedent, the order shall become infructuous.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Muffasil P.S. Case No. 486 of 2024 to the satisfaction of learned Additional Chief Judicial Magistrate-IIInd, Samastipur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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