

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27152 of 2025**

Arising Out of PS. Case No.-207 Year-2024 Thana- MOHANPUR District- Gaya

Chhotu Paswan @ Chhotu Kumar Son of Visheshwar Paswan Resident of
village - Nidani, P.S.- Mohanpur, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

- 2 06-05-2025 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 offence punishable under Sections 25(1-b)a, 26,
35 of the Arms Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that house of Pravin was raided and a country made rifle
along with a country made pistol along with two live cartridges
were recovered and Arti was apprehended, who disclosed the
name of the petitioner that he helped her in bringing and hiding
arms in her house.
4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and even alleged
recovery of arms and ammunition is from a house which does not



belong to the petitioner. It is next submitted that though in the F.I.R., it is alleged that the arms and cartridges were recovered from the house of Pravin but then Pravin has not been made an accused in the instant F.I.R. It is also submitted that the name of the petitioner transpired in the confessional statement of Arti, in police custody, which does not have any evidentiary value.

5. Learned A.P.P. Mr. Chandra Bhushan Prasad opposes the prayer for anticipatory bail of the petitioner and submits that though his name came in confessional statement of Arti but then from the pleadings made in the anticipatory bail application, it would manifest that petitioner has not disclosed that as to what he does for his livelihood, which prima facie raises a suspicion that he might have been involved in the occurrence. It is further submitted that in the event, if privilege of anticipatory bail is granted to the petitioner the petitioner may abscond, on which, the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

6. 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 Court below 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 Mohanpur P.S. Case No.207/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Further, one of the bailors of the petitioner shall be his father, namely, Visheshwar Paswan.

8. 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 co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. It is further made clear that if the charge sheet is submitted connecting the petitioner with the offence in that event the present anticipatory bail order shall loose its effect.

10. Let a copy of this order be sent to the concerned P.S. through the learned trial court.

(Satyavrat Verma, J)

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