

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27428 of 2025

Arising Out of PS. Case No.-399 Year-2024 Thana- BELDOUR District- Khagaria

Gautam Kumar S/o Sucho Yadav R/o Village- Pirnagara, P.S.- Beldaur,
District- Khagaria, (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Beldaur P.S. Case No. 399 of 2024 G.R. No. 3551/2024, dated 17.11.2024, lodged under Sections 132, 109, 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”), pending before the Court of Judicial Magistrate 1st Class, Khagaria.

3. As per the prosecution, FIR has been lodged against six named accused persons including the present petitioner. The recovery of one *desi* loaded pistol, one live cartridge and three motorcycles without any documents have been recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



submits that nothing has been recovery from the possession of the petitioner. His name has come by virtue of confession statement of co-accused Nirmal Kumar. Counsel also submits that the present case is based only on allegation made by the co-accused.

5 Learned APP for the State on the other hand opposes the prayer for bail of the petitioner and submits that it is not the case of only confessional statement, rather, corroboration has also been made as the arms, pistol, motorcycles all were recovered from the accused persons.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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