

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26819 of 2025

Arising Out of PS. Case No.-408 Year-2024 Thana- BELDOUR District- Khagaria

Abhishek Kumar S/o Ranjan 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, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Beldar P.S. Case No. 408 of 2024 (G.R. No. 3692 of 2024)
registered for the offences punishable under Sections 25(1-B)a,
26, 35 of the Arms Act.

3. As per prosecution case, the police, on receipt of
secret informant, made a raid at the house of the co-accused
Ranjan Yadav. On seeing the police, one woman and three men
tried to flee away but, a woman was apprehended who disclosed
the names of the persons who fled away as Ranjan Yadav,
Abhishek Kumar (the petitioner) and Sudhanshu Kumar. On
search, the police recovered one country-made pistol, one



bindolia as also twelve live bullet of .315 bore as well as one mobile phone from the house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence or the alleged occurrence or the seized fire-arms. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Rupam Devi @ Rupam Kumari has already been granted regular bail by this Court vide order dated 02.04.2025 passed in Cr. Misc. No. 18762 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, stating that the offence alleged is serious in nature.

7. Having heard learned counsel for the parties and considering the nature and gravity of the offence, this Court is



not inclined to grant privilege of anticipatory bail to the petitioner.

8. Accordingly, the prayer for anticipatory bail of the petitioner, above named, is rejected.

9. If the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

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