

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27508 of 2025**

Arising Out of PS. Case No.-366 Year-2024 Thana- BELDOUR District- Khagaria

Ganga Yadav @ Gangadhar Kumar S/O Arun Kumar R/O Village- Kainjari,
P.S- Beldaur, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Vishoka Nand, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, 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. No. 366 of 2024 registered on 12.10.2024 for the offenses punishable under Sections 132, 109, 111, 121(2), 3(5) of B.N.S., 2023 and 25(1-B)a, 26, 27 and 35 of the Arms Act.

3. As per the prosecution, the F.I.R. has been lodged against five named accused persons, including the present petitioner. It is alleged that upon receiving information regarding the assembly of the accused persons, the police reached the location and attempted to apprehend them. At that point, the accused persons allegedly opened fire upon the police party, resulting in an exchange of gunfire between both sides.

4. It is submitted by the learned counsel for the petitioner that the petitioner is innocent and has not committed any offence. The petitioner has been implicated in the present case



solely on the basis of the confessional statement made by a co-accused. No incriminating material has been recovered from the possession of the petitioner. Learned counsel further submits that, although the petitioner has antecedents and is involved in four criminal cases, in two of those cases, he has already been granted bail, and in the remaining two, he is pursuing bail. It is also submitted that no offence under the Arms Act is made out against the petitioner, and therefore, he may be released on bail.

5. Learned APP for the State vehemently opposes the prayer for bail and submits that the present case involves the invocation of Section 111 of the Bharatiya Nyaya Sanhita (BNS), and the petitioner is alleged to be a member of an organized crime group.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Beldaur P.S. Case No. 366 of 2024, pending before the learned Judicial Magistrate, 1st Class, Khagaria, is hereby rejected.

(Dr. Anshuman, J)

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