

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34557 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- DEEPNAGAR District- Nalanda

Danish @ Danish Akhtar, Male, aged about 32 years, S/o Javed Akhtar R/o
Mohalla- Katrapar, P.S.- Bihar Sharif, Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Parmanand Prasad, Advocate Mr. Mukesh Kr. Singh, Advocate Mr. Anil Kumar, Advocate
For the Opposite Party/s :		Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 16-09-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Deepnagar P.S. Case No. 25 of 2025 registered for the offence(s) punishable under Sections 109(1),3(5) of the BNS and Sections 25(1-b)a,26,27,35 of the Arms Act.

3. As per the allegation made in the FIR, two unidentified miscreants with a common intention to kill had fired upon the husband of the informant, causing injury.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Petitioner is not named in the FIR and name of the petitioner has surfaced in this case due



to enmity on the basis of confessional statement of co-accused Md. Riyan and Sayaid Najab Jabar Ahmad and confessional statement made before police has no evidentiary value. Specific allegation of firing is against Monu Akhtar. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail and submitted that material against the petitioner has surfaced in course of investigation and complicity of the petitioner in commission of the alleged crime cannot be denied.

6. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR, I find that petitioner has clean antecedent and his name has surfaced in this case on the basis of confessional statement of co-accused and confessional statement made before police has no evidentiary value, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bihar Sharif, Nalanda / Concerned Court in connection with Deepnagar P.S. Case No. 25 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

9. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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