

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35458 of 2025

Arising Out of PS. Case No.-607 Year-2024 Thana- PANCHRUKHI District- Siwan

Avinash Pandit @ Bajrangi Pandit @ Bajrangi son of Bhual Pandit Resident
of Papur P.S -Pachrukhi, (Sarai OP), Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amir Alam, Advocate

For the Opposite Party/s : Mr.Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-05-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Pachrukhi (Sarai O.P.) P.S. Case No. 607/2024 registered
for the offences under Section 317(5) of B.N.S. and
Sections 25(1-B)a, 26, 35 of the Arms Act.

3. As per the prosecution case, on the basis of a
statement it has been stated that three persons were seen
standing on the bank of road and when the police
approached there they started to flee, however, the police
apprehended one person and the rest two persons managed
to flee away. The apprehended person disclosed his name as
Muzaffar Hussain @ Gabber, he disclosed the name of two



persons who fled away to be one Avinash Pandit @ Bajrangi (petitioner) and Munna Mahto @ Bihari. It has further been stated that on the disclosure made by the apprehended person, a country made pistol was recovered from the jeans pant of the apprehended person along with live cartridge.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case and he was not apprehended at the place of occurrence. Learned counsel further submits that the name of the petitioner was taken by the apprehended person namely Muzaffar Hussain @ Gabber, however, till date no incriminating article has been recovered from the conscious possession of the petitioner. It is lastly submitted that the petitioner has four criminal antecedents and is in custody since 28.02.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and stated that his name has come in the confessional statement of apprehended co-accused.

6. Considering the aforesaid facts and circumstances of the case and taking into account that no incriminating article has been recovered from the conscious



possession of the petitioner, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Siwan in connection with Pachrukhi P.S. Case No. 607/2024 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.
- d. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the
afore-mentioned order shall not be delayed
for purpose of or in the name of
verification.

(Sourendra Pandey, J)

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