

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36572 of 2025

Arising Out of PS. Case No.-129 Year-2023 Thana- BANMANKHI District- Purnia

Sittu Yadav @ Sittu Kumar S/o Sri Sanjay Yadav R/o Village- Rustampur,
Ward No. 11, P.S.- B.Kothi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-06-2025 Heard Learned counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Banmankhi P.S. Case No. 129 of 2023 lodged on 31.03.2023, for the offence punishable under Sections 25(1-b)A, 26 & 35 of the Arms Act.

3. As per the prosecution, FIR has been lodged against 3 unknown persons and owner of a motorcycle. As per the FIR, one *desi katta* with live cartridges have been recovered from the *dikki* of a motorcycle.

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



submits that the said motorcycle does not belong to the petitioner and he is neither owner nor driver of the said motorcycle. Counsel submits that the name of the petitioner has figured in this case only by virtue of the disclosure made by the owner of the motorcycle stating that the petitioner was standing at a nearby place. Counsel further submits that nothing has been recovered from the conscious possession of the petitioner and he has unnecessarily been made accused in this case under a conspiracy. Counsel further submits that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that nothing has been recovered from the possession of the petitioner and his name has come in this case by virtue of the statement of the co-accused. Counsel further submits that petitioner has no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha



Sanhita, 2023 to the satisfaction of Chief Judicial Magistrate, Purnea, in connection with Banmankhi P.S. Case No. 129 of 2023, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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