

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42047 of 2025

Arising Out of PS. Case No.-481 Year-2024 Thana- KOILWAR District- Bhojpur

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Anuj Kumar @ Arnaw @ Arnab S/o- Om Prakash Gupta Village- Piro Ward
No. 10 P.S.- Piro, District- Bhojpur at present resident of M.p. Bag Ara Pothar
Waliganj Ved Prakash Gupta Puehu Ke Makan Me P.S.- Ara Dist- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Priya, Advocate
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 04-07-2025 Heard Ms. Priya, the learned counsel appearing on

behalf of the petitioner and Mr. Lakshmikant Sharma, the

learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in case registered
for the offences punishable under Sections 310(4), 310(5) of the
B.N.S. and under Section 25(1-B)(a), 26 and 35 of the Arms
Act.

3. As per the prosecution case, the informant got
secret information that some miscreants have assembled and
were planning to commit some criminal act. The informant
reached for the verification of the said information and they saw
three persons were standing and on seeing the police they tried
to flee, however, they were apprehended by the police,



thereafter, a search was made. On being searched, a country made pistol, a live cartridge and a mobile phone was recovered from the possession of Anuj Kumar (petitioner) and a mobile phone was recovered from the conscious possession of co-accused Saroj Yadav.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the story of recovery of the pistol being made from the petitioner Anuj Kumar is concocted. It is lastly submitted that the petitioner has five criminal antecedents and is in custody since 16.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and taking into account the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Koilwar P.S. Case No. 481 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.



(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 above-mentioned.

(vi) In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Bhojpur within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation



of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

8.Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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