

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40659 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- MUSRIGHRARI District- Samastipur

Nitish Kumar @ Satyam @ Fighter S/O Late Subodh Singh R/O Village-
Sakhmohan, P.S- Bibhutipur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary

For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-07-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Musrigharari Police Station Case No. 27 of 2025/G.R. No. 747 of 2025, dated 02.03.2025, disclosing offences under Sections 25(1-B)a/26 and 35 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that the police, while on patrolling duty, saw a tempo coming from Musrigharair Chowk. Upon seeing the police party, the tempo driver tried to flee away, but was apprehended. The tempo driver disclosed his name as Pappu Kumar @ Prem Babu. On search, four pistols, eight magazines and 72 live cartridges were recovered from the tempo, bearing registration no. BR01-PQ-6951. Upon enquiry, the arrested accused persons disclosed that



he is involved in the trade of illegal firearms with Nitish Kumar i.e. the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to previous enmity and village politics. He next submits that he has been accused in the case on the basis of confessional statement by the accused Pappu Kumar. He further submits that no incriminating article has been recovered from the property belonging to the petitioner. With respect to the criminal antecedents, which arise out of property dispute leading to multiple false cases against the petitioner, learned counsel submits that the petitioner has already been granted anticipatory bail in all cases.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that the petitioner has got 08 criminal antecedents, I am not inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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