

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53320 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- Darhar District- Saharsa

Punanand Mistri @ Badhai @ Punand Badhai @ Punand Badai @ Punanand
Badhai S/o Laxman Badhai R/o Vill- Kathiyahi, Ward No. 03, P.S.- Darhar,
Distt- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-08-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 25(1-A), 25(1-AA), 25(1-
B), 25(1-B)a, 26 and 35 of the Arms Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant alleges
that he got secret information that Bikash and petitioner are
manufacturing gun in their shop, accordingly, the informant reached
the place of occurrence and Bikash was apprehended who disclosed
about the petitioner who fled away. Further, on search, many half
made country made pistol along with parts of pistol and live
cartridges were seized.
4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the



informant. It is further submitted that petitioner was apprehended at the place of occurrence and his name was disclosed by his son in police custody which does not have any evidentiary value.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that no doubt the name of the petitioner transpired in the confessional statement of his son but then in the FIR it is specifically alleged that many half made country made pistol along with parts of pistol and live cartridges were recovered which amply demonstrates that petitioner is indulging in manufacturing of illegal arms. It is further submitted that the case is in its nascent stages of investigation and if the privilege of anticipatory bail is granted, the petitioner may abscond.

6. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Darhar P.S. Case No. 11 of 2025, pending in the Court of learned Judicial Magistrate, 1st Class, Saharsa/Successor Court.

7. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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