

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50843 of 2025

Arising Out of PS. Case No.-79 Year-2025 Thana- SAUR BAZAR District- Saharsa

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Ashish Kumar Son of Anil Ram Resident of Village - Bakas Tola Ward No.-
03, P.S.- Saur Bazar, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ruchi Mandal, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Saur Bazar P.S. Case No. 79 of 2025, dated 16.03.2025,
lodged under Sections 25 (1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution, FIR has been lodged against
three named accused persons, including the present petitioner.
The case has been registered under the Arms Act.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
further submits that no arms have been recovered from the
petitioner's possession. It is also submitted that the petitioner is
not an apprehended accused person, rather, his name has figured
in this case solely by virtue of the confessional statement of the



apprehended person. Counsel further submits that since nothing has been recovered from the petitioner's possession, the Arms Act is not attracted in the present case. Counsel also submits that the petitioner has no criminal antecedents.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that nothing has been recovered from the petitioner's possession.

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 BNSS, 2023 to the satisfaction of A.C.J.M-II, Saharsa, in connection with Saur Bazar P.S. Case No. 79 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

Aman Kumar/-

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