

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55225 of 2025

Arising Out of PS. Case No.-119 Year-2025 Thana- FATUA District- Patna

1. Sunil @ Patakan @ Sunil Kumar S/O Late Jagdish Singh Village- Raypur Balwa, P.S.- Fatuha, District- Patna
2. Sanjay Yadav S/O Suresh Yadav Village- Raypur Balwa, P.S.- Fatuha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bablu Kumar

For the Opposite Party/s : Mr. Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 13-11-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Fatuha P.S. Case No. 119/2025 registered for the offences punishable under Sections 111(2) (b), 111(4), 3(5) of the B.N.S. and Sections 25(1)(a), 25(1-A), 25(1AA), 25(1-B) (a), 25(1-B) (c), 26(1), 26(2) and 35 of the Arms Act.

3. As per prosecution case, on 06.02.2025 the informant along with police officials reached at the bank of Dhowa river and they apprehended co-accused Vinay Paswan. Apprehended co-accused disclosed the name of the petitioners who fled away from the place of occurrence. Apprehended co-



accused further disclosed that petitioners are said to have manufactured the illegal weapons on the bank of Dhowa River. Upon the disclosure of apprehended co-accused, some incriminating articles were recovered from the place of occurrence. He further disclosed that they have a gang of three persons who are involved in manufacturing and selling the illegal weapons.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR. The petitioners were not apprehended on the spot. The name of the petitioners have been transpired in this case on the disclosure of co-accused Vinay Paswan. Except disclosure, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. He orally submits that the petitioners have enmity with apprehended co-accused due to which they have falsely been implicated in this case. No incriminating articles has been recovered from the possession of the petitioners. Apart from that the petitioners bear no criminal antecedent. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioners under the aforesaid sections.

5. The learned A.P.P. for the State opposed the



prayer for anticipatory bail of the petitioners submitted that the petitioners were members of gang who were manufacturing illegal weapons and they cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Patna City, District-Patna in connection with Fatuha P.S. Case No. 119/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. Accordingly, the application stands allowed.

(Alok Kumar Pandey, J)

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