

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54755 of 2025

Arising Out of PS. Case No.-311 Year-2023 Thana- GAURICHAK District- Patna

Md. Chunna @ Md. Chunna Alam @ Wasim S/o Iliyas @ Latho R/o Village-
Mirzapur Bardah, P.S.- Mufassil, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-09-2025 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-b)a,
26 and 35 of the Arms Act read with Section 120B of the Indian
Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and the informant alleges
that from the house of Vinod Singh, some accused fled, further
the house was raided and materials used for making arms along
with other articles were recovered.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from his possession. It is also submitted that though it



is alleged that material for making arms was recovered from the place of occurrence, but then the house was under construction and from perusal of the seizure list, it would manifest that the articles which were recovered were being used in construction of the house. It is also submitted that even presuming what has been alleged is true without admitting then petitioner was not present at the place of occurrence and his name transpired in the confessional statement of apprehended accused in police custody which does not have any evidentiary value. The learned counsel further submits that Deepak Sing had approached this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 74478 of 2024 and the same was allowed by a learned Coordinate Bench by an order dated 18.10.2024. It is further submitted that the case of the petitioner is similar to the case of Deepak Singh. It is next submitted that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Gaurichak P.S. Case No. 311 of 2023 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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