

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54090 of 2025

Arising Out of PS. Case No.-536 Year-2023 Thana- PAHARPUR District- East Champaran

Nagina Yadav Son of Rambali Yadav Resident of Village - Noneya
Makhaniya Tola, P.S.- Paharpur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Karandeep Kumar, Advocate
For the State : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 342, 323, 504 and 414 of the Indian Penal Code, Sections 25(1-b)a, 26 and 35 of the Arms Act and Section 37 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in brief, is that three co-accused persons were apprehended in an inebriated condition and on search, illegal arms and ammunition were recovered from their possession. It is further alleged that the apprehended co-accused persons disclosed the name of this petitioner as the one who managed to escape from the place of occurrence.



4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from conscious possession of this petitioner and he has falsely been implicated in this case merely on the basis of confessional statement of apprehended co-accused persons. Except confessional statement, there is no material on record to show the complicity of this petitioner in the alleged occurrence. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation, fact that no incriminating article has been recovered from conscious possession of this petitioner and clean antecedents, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 1, East Champaran, Motihari in connection with Paharpur P.S. Case No. 536 of 2023, subject to condition as laid down



under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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