

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54381 of 2025

Arising Out of PS. Case No.-175 Year-2025 Thana- BUNIYAD GANJ District- Gaya

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Anup Kumar @ Anup Malviya @ Anup Malvia, (Male), aged about 35 years,
S/O Brij Kishore Malvia, Resident Of Harpur Gopal Pandey Line, P.S.-
Buniyadganj, Dist.- Gaya

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	M/S. Praveen Kumar, Ravi Prakash Dwivedi and Saurabh Raj, Advocates
For the Informant	:	Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party	:	Mr. Nityanand, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 27-08-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Buniyadganj P.S. Case No. 175 of 2025 dated 26.05.2025
registered for the offences punishable under Sections 25(1-B)
(a), 26 of the Arms Act and Section 37 of the Bihar Prohibition
and Excise (Amendment) Act, 2022.

3. As per the prosecution case, on 25.05.2025, the
petitioner came armed with weapons to the house of the
informant in drunken state who is the father of the petitioner and
abused and threatened him. The police came and arrested him
and on search, one country made katta alongwith two live



cartridges were recovered from his possession.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no statutory compliance of Section 103 of the B.N.S.S., 2023. Nothing has been recovered from the possession of the petitioner. It is further submitted that the informant who is the father of the petitioner is in complete control of his daughter who happens to be the sister of the petitioner and the sister of the petitioner wants to take the entire share of the family property. The petitioner has no concern with the alleged offence. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 26.05.2025.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive



Special Judge, Excise-1, Gaya Jee in connection with
Buniyadganj P.S.Case No. 175 of 2025 with further condition:-

- (I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.
7. The application stands allowed.

(Chandra Prakash Singh, J)

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