

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58587 of 2025

Arising Out of PS. Case No.-171 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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Sushil Kumar Singh @ Santu @ Santu Kumar Singh Son of Late Shivshankar
Singh Resident of Village- Purbi Kargahiya, Ps- Bettiah Muffasil, Dist- West
champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rishabh Mishra

For the Opposite Party/s : Mr. Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-09-2025 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, 29 and 35 of the Arms Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases and the informant
alleges that Prem Prakash was apprehended with a loaded
country made pistol along with live cartridge and disclosed that
Avinash manufactures illegal arms and Pappu used to bring the
arms to Bettiah, further earlier he had supplied two arms to
petitioner and Subodh.
4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the name of the petitioner transpired in the confessional statement of apprehended accused in police custody which does not have any evidentiary value. It is also submitted that when the case was instituted, at that time, the petitioner was in judicial custody. It is next submitted that since petitioner has antecedents as such the police implicated him through Prem Prakash.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that petitioner has antecedent of three cases and the apprehended accused disclosed that illegally manufactured arms are brought to Bettiah and they had earlier supplied two arms to the petitioner. It is also submitted that if privilege of anticipatory bail is granted to the petitioner, in that event, the petitioner may abscond, on which, the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

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 Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five 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 Bettiah Town P.S. Case No.171/2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Further, one of the bailors of the petitioner shall be his brother, namely, Niraj Kumar Singh.

8. 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 the 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.

9. It is further made clear that if charge sheet is submitted connecting the petitioner with the offence apart from confession, in that event, the present anticipatory bail order shall loose its effect.

(Satyavrat Verma, J)

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