

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65399 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- SAHEBPUR KAMAL District- Begusarai

Animesh Kumar @ Maniya @ Mariya S/o- Binod Kumar Singh R/v- Sanha
Naya Tola Ps- S.Kamal Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-09-2025 Heard Mr. Shubhesh Pandey, learned counsel

appearing on behalf of the petitioner and Mr. Ram Priya Sharan

Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Sahebpur Kamal P.S. Case No. 94 of 2025 registered for
the offence(s) punishable under Sections 25(1-B)a, 26 and 35 of
the Arms Act.

3. As per the allegation made in the FIR, the
petitioner along with the other co-accused in an organized
manner are engaged in sale of illegal arms. Raid was conducted
and two accused persons, namely, Abhishek Kumar and Amol
Sadashiv Mane were apprehended, who disclosed the name of
the petitioner. Seizure lists were prepared. Recovery of arms
along with two motorcycle bearing Registration No.BR09J5280



and another motorcycle bearing Chassis No.MD625FF14KIN00486 and cash were made.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. He further submitted that name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused/ Abhishek Kumar and confessional statement made before police has no evidentiary value. Petitioner is innocent and due to enmity, petitioner has been robbed in the present case. As per the seizure list also, recovery of cash was made from the house of co-accused Abhishek Kumar and country made pistol along with two live cartridges were also recovered from his conscious possession. No recovery has been made from the house of the petitioner.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR and also the fact that petitioner has neither denied that he is not the owner of the seized motorcycles, nor he has stated that both the motorcycles are not stolen motorcycles, **I find that the learned District Court under such**



circumstances is required to verify the owner of the motorcycles in question on the basis of registration number, chassis number and engine number and if it is found that the motorcycles are not registered in the name of the petitioner and the same are not the stolen motorcycles, then in that case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV Begusarai / Concerned Court in connection with Sahebpur Kamal P.S. Case No. 94 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

8. Further, it is made clear that in case it is found that the motorcycles in question are stolen one, then in that case also, this order will automatically lose its force.



9. The bail application stands disposed of.

(Purnendu Singh, J)

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