

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65187 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- VAINI District- Samastipur

Aman Kumar @ Kargil S/o Ramai Thakur Resident of Village - Repura, P.S -
Waini, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 15-10-2025 1. Heard learned Senior counsel for the petitioner Mr.
N.K. Agrawal and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Waini P.S. Case No.38/2025 dated 27.05.2025, registered
for the offence punishable under Sections 25(1-B)A, 26, 27 and
35 of the Arms Act.

3. Learned Senior counsel for the petitioner submits
that petitioner has antecedent of four cases and the informant
alleges that he got information that petitioner is going towards
his house firing, accordingly, he reached the place of
occurrence, when he saw three accused on a motorcycle and
when they were asked to stop, petitioner jumped and fled, while
Vivekanand and Hemant were apprehended and one country-
made pistol along with one live cartridge and two empty



cartridges were seized along with the motorcycle and mobile and apprehended accused disclosed that arms and cartridges belonged to the petitioner.

4. Learned Senior counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that it does not appear probable that informant on receiving secret information would have reached the place of occurrence and would have even seen the petitioner jumping from the motorcycle and fleeing. It is submitted that the informant apprehended Vivekanand and Hemant and made them confess the name of the petitioner. It is also submitted that though apprehended accused confessed the name of the petitioner but then arms and cartridges were recovered from their possession. It is also submitted that confessional statement in police custody does not have any evidentiary value.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that no doubt the petitioner was not arrested from the place of occurrence but his name transpired in the confessional statement of apprehended accused. It is further submitted that petitioner carries antecedent of four cases and investigation is continuing



and if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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