

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68718 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- SAKSOHRA District- Patna

1. Sanjeet Kumar S/O Dinesh Yadav @ Dinesh Prasad R/O Village- Hardayal Bigha, P.S.- Belchi, District- Patna
2. Sonu Kumar @ Sohan Kumar S/O Late Parmanand Yadav R/O Village- Hardayal Bigha, P.S.- Belchi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Adv
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 26-09-2025 1. Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners apprehend their arrest in connection with Saksohra P.S. Case no. 28/2025 registered under Sections 118(2), 109, 308 (5), 324(4), 324(5), 352, 351(2), 351(3)/3(5) of the BNS & 25(1-b), 26, 27, 35 of the Arms Act.

3. The allegation in the first information is that three persons came on a bike and indulged in asking for some *Rangdari* from the shopkeeper who was selling *cigarettes*. One of them asked for *Rangdari* from the shopkeeper and also indulged in assault and the said person, Pappu Kumar, was apprehended by the villagers, while the other two fled away.

4. Learned counsel for the petitioners submits that it



would be apparent from the first information report that the petitioners have not been specifically named therein and the allegations are specific against co-accused Pappu Kumar of assaulting and even of opening fire. Thereafter, he was caught, and the firearm was also recovered from his possession. It is at the instance of this Pappu Kumar that the name of the petitioner transpired, as he took their name as that of the persons who had fled away. It is further submitted that apart from the disclosure made by the arrested accused, there is no other material to connect the petitioners to the alleged offence, and moreover, there is neither any recovery from the conscious possession of the petitioners nor any specific role that has been attributed to them. It has also been submitted that there is a general and omnibus allegation upon unknown person also of having assaulted, but the same is vague, as it has not been stated which weapon has been used by them, and the bail rejection order also indicates that there is no injury report prepared. The petitioners undertake to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering that the names of



the petitioners have transpired only upon the confessional statement of the co-accused, which has no evidentiary value, and that the major allegation of opening fire etc. is also upon the co-accused, Pappu Kumar, let the above named petitioners who have no criminal antecedent, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with **Saksohra** P.S. Case no. 28/2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned **Judicial Magistrate-1st class, Barh District-Patna**, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the following conditions:-

(a) One of the bailors of the petitioners shall be the family member/close relative of the petitioners.

(b) They shall be co-operate in the investigation by appearing before the Investigating Officer as and when required.

(Soni Shrivastava, J)

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