

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72196 of 2025

Arising Out of PS. Case No.-304 Year-2025 Thana- PAROO District- Muzaffarpur

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Mohd. Ezaz @ Md. Yejaj Son of Mohd. Sahid @ Mohammad Sahid @ Mohd. Saheed @ Md. Sahid Village- Majhauriya Bichala Tola Police Station -Paru District -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar S.K., Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 11-11-2025 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 317(2) & (5) of the Bharatiya Nyaya Sanhita. 2023, Sections 411 & 414 of the Indian Penal Code and Sections 25(1-B)(a)/26/35 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases and the informant alleges that he received an information that two accused persons were planning to sell arms and accordingly he reached the place of occurrence and arrested one Azmat from whose possession, a country made pistol was recovered along with another pistol kept in a plastic bag and Azmat disclosed the name of the petitioner.

4. The learned counsel for the petitioner submits that the petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated based on confessional statement of Azmat in police custody, which does not have any evidentiary value.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the petitioner has antecedent of two cases under the Arms Act and his name though transpired in confessional statement of apprehended accused but then the same requires to be investigated. It is next submitted that if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond.

6. Considering the submission made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Paroo P.S. Case No. 304 of 2025 pending in the court of Judicial Magistrate-I, Muzaffarpur (West).

7. Accordingly, the application is rejected.

(Satyavrat Verma, J.)

Jyoti Kumari/-

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