

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71698 of 2025

Arising Out of PS. Case No.-387 Year-2025 Thana- CHHATAUNI District- East Champaran

Vishal Kumar S/O Dhirendra Sahani R/O Vill.- Bangali Colony, Bhatahan,
P.S.- Chhatauni, Dist.- East Champaran (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 27-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Chhatauni P.S. Case No. 387 of 2025 registered for the offences punishable under Section 315(5) of the B.N.S. and section 25(1-b)a, 26, 35 of the Arms Act.

3. As per prosecution case, during night patrolling on 25.06.2025, police intercepted a group of six men on three motorcycles near Chhatauni Bus Stand. Five escaped, but co-accused Mohan Kumar was caught with a motorcycle and a loaded country-made pistol with cartridges. He disclosed that the group, including the petitioner, was planning to loot passersby and that the fleeing co-accused were carrying additional firearms. On this basis, an F.I.R. was registered



against six persons.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged in the FIR. It is next submitted that except disclosure of apprehended co-accused there is nothing on record to connect the present petitioner with the occurrence. Petitioner was not apprehended on the spot. Nothing was recovered from the possession of the petitioner. The petitioner has transpired in the instant case only on the statement of co-accused namely, Mohan Kumar with whom petitioner has inimical term.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submits that the petitioners are F.I.R. named accused and he cannot escape from the allegation made in the F.I.R.

6. Considering the facts and circumstances of the case, nothing has been recovered from the possession of the petitioner, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Chhatauni P.S. Case No. 387 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

Nilmani/-

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