

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81042 of 2024

Arising Out of PS. Case No.-136 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Pawan Kumar Son of Binod Kumar Yadav Resident of Lakri Nabiganj
(Nabiganj Market), P.S. -Basantpur, District - Siwan, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for
the offence punishable u/s 399, 402, 412 of IPC and Sec. 25(1-B)
(a), 26 and 35 of Arms Act.

3. As per prosecution story, a secret information was received
that a group of miscreants was planning a major crime. On the
basis of this information, a raid was conducted and five persons
were arrested on the spot from which country made pistols, live
cartridges and mobile handsets, knife etc. were recovered. It is
further alleged that the petitioner along with three others fled away
from the spot.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He has
been falsely implicated in this case. No such occurrence, in the



manner as alleged, has ever taken place. There is no specific overt act attributed against the petitioner. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has been made accused in this case on the basis of disclosure made by the apprehended co-accused persons. It is further submitted that similarly situated co-accused persons have been granted bail by this Court vide order dated 25.09.2024 passed in Cr. Misc. No. 58594 of 2024. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, and the fact that petitioner has clean antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Baikunthpur P.S. Case No.136 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS, 2023.

(Anjani Kumar Sharan, J)

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