

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85146 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- Hemjapur District- Munger

Sakku @ Sudhanshu Shekhar S/O Kamlesh Kumar Tanti @ Kamlesh Kumar Gupta Resident of Village- Makaspur Ward No.- 14 Kahalgaon, P.S- Kahalgaon, Distt.- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Akanksha Verma, Adv.
For the State : Mr. Anil Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Hemjapur P.S. Case No. 23 of 2025 registered for the offence punishable under Sections 25(1-b)a, 26(i) of the Arms Act.

3. As per prosecution case, one country made pistol with magazine, one empty magazine and one empty cartridge were recovered from the dickky of scooty which was seized by the informant.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and during course of investigation, his name has been surfaced upon the confessional



statement of co-accused Vikash Kumar and except confessional statement of aforesaid co-accused, there is nothing on record to connect the present petitioner with the alleged occurrence. Learned counsel further submitted that alleged scooty does not belong to the petitioner. It has been submitted that on similar and identical allegation, co-accused Shivam Kumar has already been granted anticipatory bail by a co-ordinate Bench of this court vide Cr. Misc. No. 40877 of 2025 and on the principle of parity, petitioner also deserves bail. Learned counsel further submits that basically no incriminating article has been recovered from possession of the petitioner. Petitioner is not in any way connected with the alleged occurrence. Petitioner is quite innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Apart from that, petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that during course of investigation name of petitioner came to fore upon the confessional statement of co-accused Vikash Kumar and hence, petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioner, on



similar and identical allegation, co-accused has already been granted anticipatory bail by a co-ordinate Bench of this Court, 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) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Munger in connection with Hemjapur P.S. Case No. 23 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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