

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79922 of 2025

Arising Out of PS. Case No.-211 Year-2025 Thana- ARA MUFFSIL District- Bhojpur

Raj Kumar Sharma @ Raja Kumar Son of Bindeshwar Sharma @ Bineshwar
Kumar Thakur R/o Village- Paithanpur, P.S.- Ara Muffasil, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Akash Kumar Mishra, Advocate Ms. Aashi Wats, Advocate Ms. Mili Kumari, Advocate
For the Opposite Party/s	:	Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Bhojpur Ara, Muffasil P.S. Case No. 211 of 2025 registered for the offences punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per prosecution case, on 31.07.2025, at around 10:15 hrs, the informant, along with armed forces, left the police station in a government vehicle for day patrolling. While patrolling at approximately 12:00 hrs near village Gangahar, the informant observed three boys smoking cigarettes beside a parked Pulsar motorcycle. Since the area was secluded, the informant suspected suspicious activity and stopped the vehicle.



Upon noticing the police, one of the boys ran away. During the chase, he discarded a pistol into the bushes and managed to escape through the muddy terrain. The other two boys, identified as Akshay Kumar and Ravi Kumar, were apprehended with the assistance of armed forces. During interrogation, they disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and except disclosure of apprehended co-accused there is nothing on record to connect the present petitioner with the alleged occurrence. It is respectfully submitted that the petitioner has been implicated solely on the basis of the confessional statement of co-accused and the confessional statement of co-accused, in law, has no evidentiary value. Petitioner was not apprehended on the spot. Nothing was recovered from the possession of the petitioner. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner is 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 A.C.J.M-VI, Bhojpur at Ara in connection with Bhojpur Ara, Muffsil P.S. Case No. 211 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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