

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80027 of 2025

Arising Out of PS. Case No.-209 Year-2025 Thana- BUXAR MUFFSIL District- Buxar

Aman Srivastava @ Aman Kumar Sinha Son of Abhay Kumar Sinha Resident
of Village- Sondhila, P.S.- Buxar (Muffasil), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Rai Sharma, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Buxar (Muffasil) P.S. Case No. 209 of 2025 registered for the offences punishable under Sections 25(1-B) (a), 26, 35 of the Arms Act.

3. As per prosecution case, on 14.05.2025, while in police custody, co-accused Sandeep Paswan disclosed during interrogation that after a prior incident, he had handed a firearm to co-accused Arbaz Khan near Itarhi Gumti Flyover. Acting on this information, police raided Arbaz Khan's residence in Shanti Nagar and arrested him. During questioning in Sandeep Paswan's presence, Arbaz Khan admitted that Atal Singh had entrusted him with two pistols. On 15.04.2025, Atal Singh and



Aman Srivastava (petitioner) took the pistols back. On 16.04.2025, around 12:30 A.M., Arbaz was traveling with Atal Singh, Sandeep Paswan, and Aman Kumar near the flyover then Sandeep Paswan handed him a pistol. Fearing danger after a firing incident at a nearby marriage hall, Arbaz Khan hid the pistol under the flyover. Following Arbaz's directions, police recovered one loaded country-made pistol, which contained 4 live cartridges, and prepared a seizure list.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged in the FIR. Nothing was recovered from his possession rather recovery was made from disclosure of co-accused Arbaz Khan. It is further submitted that the petitioner has nothing to do with the alleged occurrence as he has no relation with any of the co-accused persons, who were named in the F.I.R. Just because petitioner having criminal antecedents of two cases, police has falsely implicated him in the present case and in light of aforesaid facts and circumstances, no offence is made out against petitioner.

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, no incriminating article or firearm was recovered from the possession the 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, Buxar in connection with Buxar(Muffasil) P.S. Case No. 209 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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