

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81154 of 2025

Arising Out of PS. Case No.-92 Year-2025 Thana- SHIKARGANJ District- East Champaran

Amresh Kumar S/o Ramadhar Rai @ Ramadhar Prasad Yadav R/o Vill- Bela Ghat, P.O.- Sagar Dina, Haraj, Nurullahpur, P.S.- Shikarganj, Distt- East Champaran, Bihar- 845418.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohd Rustam Hussain

For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Shikarganj P.S. Case No. 92/2025 registered for the offences punishable under Sections 25(1-B) (a), 26 and 35 of the Arms Act.

3. As per prosecution case, there is alleged recovery of one country made pistol, two live cartridges and one magazine from co-accused Rahual Kumar. The said apprehended co-accused disclosed that the present petitioner had supplied the said illegal arms.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the FIR and he has falsely been implicated in this case. Except disclosure of co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. Nothing has been recovered from the possession of the petitioner. The petitioner bears two criminal antecedents which is not similar to the present case and in both cases he is on bail. He orally submits that the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submitted that one country made pistol, two live cartridges and one magazine were recovered from co-accused Rahual Kumar who disclosed the name of the petitioner and hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, 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 Court of Sessions Judge, East Champaran, Motihari in connection with Shikarganj P.S. Case No. 92/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

8. However, it is made clear that if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court are not co-operating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar Pandey, J)

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