

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82816 of 2025

Arising Out of PS. Case No.-155 Year-2025 Thana- PURAINI District- Madhepura

Md. Mokim S/o Md. Akbar R/o Village - Auray, Ward No. 01, P.S - Puraini,
District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr Sanjay Kumar Singh

For the Opposite Party/s : Mr.Ajay Kumar Jha

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 Puraini P.S. Case No. 155 of 2025 registered for the offences punishable under Sections 310(4) and 310 (5) of the B.N.S and Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per prosecution case, on 09.08.2025, during morning patrol, police received confidential information regarding criminals planning to commit occurrence near newly established Primary School at Teenpipariya Durgapur. Acting on the information, the police team reached the spot, where upon seeing the police, the criminals attempted to flee. Three accused persons were apprehended, while others escaped. Apprehended three accused disclosed their names as (i) Md. Fahim @ D.S.P.,



(ii) Mr. Aftab and (iii) Mr. Sonu. From the possession of co-accused Md. Fahim @ DSP, a country-made pistol and stolen keys of different motorcycles and key-pad mobile phone were recovered. From the possession of co-accused Md. Aftab, an iron knife and a mobile phone, and from Md. Sonu, a mobile phone and iron cutter were recovered. An old motorcycle without valid documents was also seized from the spot. It is alleged that apprehended co-accused persons disclosed the names the petitioner and others, who fled away from the place of occurrence.

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 has no evidentiary value in the eye of law. Petitioner was not apprehended on the spot. Nothing has been recovered from the possession of the petitioner. Apart from that, petitioner has no criminal antecedent. It has been orally submitted that 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 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.-1, Udakishunganj, Madhepura in connection with Puraini P.S. Case No. 155 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.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 is not co-operating in the investigation,
in that event, the learned trial court shall be at liberty to cancel
the bail bond of the petitioner.

(Alok Kumar Pandey, J)

Nilmani/-

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