

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1444 of 2025

Arising Out of PS. Case No.-748 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Paras Kashyap S/o- Sadanand Bhagat R/o - Chikni, P.S - Sour Bazar, District
- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-02-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 25(1-B)a,
26 and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and the informant alleges
that on secret information about movement of miscreants, the
informant along with police force reached the place of
occurrence when three accused on seeing the police started
fleeing, but two accused were apprehended who disclosed their
name as Aditya and Shubham, on search one country made
loaded pistol was recovered from them separately and they
disclosed the name of the petitioner who fled.



4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the confessional statement of co-accused in police custody which does not have any evidentiary value. It is further submitted that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, 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 bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Saharsa Sadar (Sonbarsa Kachahri) P.S. Case No. 748 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his father namely Sadanand Bhagat.

8. However, it is made clear that in the event if the



Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that 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 forthwith cancel the bail bonds of the petitioner.

9. It is further made clear that if charge sheet is submitted connecting the petitioner with the offence, in that event the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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