

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.596 of 2025

Arising Out of PS. Case No.-254 Year-2024 Thana- PAKARIBARAW District- Nawada

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Anuj Kumar Pandey @ Chotu Pandey Son of Gaurikant Pandey Resident of
Village - Bhalua, P.S. - Pakribarawa, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Pakribarawa P.S. Case No. 254 of 2024 instituted for the
offences under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the F.I.R., one country-made *katta* and three
empty cartridges and two live cartridges have been recovered
from the house of the co-accused Nikhil Kumar.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
name of the petitioner transpired in this case on the basis of
self-confessional statement of the petitioner. No incriminating
article has been recovered from the conscious possession of the



petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions rather the same has been recovered from the house of co-accused Nikhil Kumar. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.06.2024 and has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pakribarawa P.S. Case No. 254 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the



bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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