

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12423 of 2026

Arising Out of PS. Case No.-23 Year-2026 Thana- SASARAM NAGAR District- Rohtas

Suraj Kumar Gupta @ Suraj Sahu S/O Prem Chand Kumar Gupta @ Prem
Chand Prasad R/O Mohalla- Takia Bazar, P.S- Sasaram (T), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 10-03-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State Mr. Rabindra Kumar.
2. The petitioner apprehends his arrest in connection
with Sasaram (Town) P.S. Case No.23/2026, registered for the
offences punishable under Section 25 (1-B)a, 26, 35 of the Arms
Act and Section 37 of Bihar Prohibition and Excise
(Amendment) Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of two country made pistols along with a loaded live
magzine cartridge along with two motorcycles and a mobile
phone from a place near Shankar College, in front of
Mahavidyalaya Bhawan.
4. Learned counsel submits that petitioner was not



arrested from the spot as such nothing was recovered from his possession and he came to be implicated based on the fact that he is owner of one of the seized motorcycles. It is also submitted that the name of the petitioner is not mentioned in the accused column but in the body of the FIR, it is alleged that based on the confessional statement of apprehended accused, the name of the petitioner transpired, who disclosed that the recovered articles belongs to the petitioner. It is next submitted that confessional statement of an accused in police custody does not have any evidentiary value. It is also submitted that petitioner is a student of BBA.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the case has been registered under the Excise Act and the Arms Act and it is not in dispute that articles as disclosed in the FIR have been recovered from the place of occurrence. It is also submitted that no doubt the confessional statement before the police does not have any evidentiary value but then investigation of the case is in its nascent stages and allegations are serious. It is also submitted that though a plea has been taken that petitioner is a student but then no documentary evidence has been brought on record to substantiate the same.



6. After hearing the learned counsel for the parties, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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