

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12489 of 2026

Arising Out of PS. Case No.-39 Year-2023 Thana- DHANARUA District- Patna

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Bharat Yadav S/o Late Ramsinghashan Yadav R/o Nanouri, P.S.- Dhanarua,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhankar Raj, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 26-02-2026 Heard the learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dhanarua P.S. Case No.39 of 2023, F.I.R dated 20.01.2023 registered for the offences punishable under Sections 25(1-b)A, 35 and 26 of the Arms Act.

3. According to prosecution case, on 20.01.2023 was lodged by the SHO, Dhanarua P.S., based on secret information about illegal manufacturing of country-made firearms at village Nanauri. A joint police raid was conducted, during which three persons—Vijay Bind, Dhananjay Kumar, and Bakhori Bind, were apprehended while two others escaped. A large quantity of tools, semi-finished firearm parts, and live .315 bore cartridges were recovered from their possession. The accused failed to



produce any valid documents and disclosed that they, along with the absconding co-accused, were operating an illegal mini gun factory for manufacturing and selling country-made arms and ammunition.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It has next been submitted that the name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Vijay Bind, while nothing incriminating is said to have been recovered from this constructive possession when his house was put to search during his absence. It has further been submitted that the co-accused, Vijay Bind, has already been allowed the privilege of regular bail by the learned Trial Court. Lastly, it has been submitted that the petitioner has two criminal antecedent and is on bail in the said cases.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances the name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Vijay Bind, while nothing incriminating is said to have been recovered from this constructive possession when his house was put to search during



his absence. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Masaurhi, in connection with Dhanarua P.S. Case No.39 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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