

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21163 of 2026

Arising Out of PS. Case No.-33 Year-2026 Thana- BALIYA District- Begusarai

Chandan Kumar @ Chandan Kumar Bharti @ Chandan Yadav S/o Ganpat
Yadav @ Baniya Yadav R/o Village- Tulsi Tol, P.S- Ballia, Dist- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Ms.Asha Devi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-04-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Ballia P.S. Case No. 33 of 2026, registered for the offences
punishable under Sections 25(1-B)(a), 26 and 35 of Arms Act
and Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of four cases and allegation is of
recovery of 11 litres of country made liquor along with country
made pistol, one empty cartridge and one live cartridge from
cowshed of Rajniti Yadav.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and even the alleged



recovery is from a place which does not belong to the petitioner and he came to be implicated based on confessional statement of Somari in police custody which does not have any evidentiary value.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the case has been instituted under the Arms Act also and allegation is of recovery of country made pistol along with cartridges. It is next submitted that petitioner was not arrested from the spot, but his name transpired in confessional statement of co-accused and petitioner has antecedent of four cases and if privilege of anticipatory is granted to the petitioner, the petitioner may abscond or try to tamper with the evidence.

6. Considering the submission made by learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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