

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25052 of 2026

Arising Out of PS. Case No.-471 Year-2025 Thana- BIHARIGANJ District- Madhepura

Gagan Kumar Son of Surendra Yadav R/O Village- Kathouliya, Ward No. 3,
P.S.- Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Singh, Advocate
For the State	:	Mr. Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 01-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bihariganj P.S. Case No. 471 of 2025 in a case registered for the offence punishable under Sections 310(4), 310(5) of the BNS read with Section 25(1-B)a, 26, 35 of the Arms Act.

3. As per the prosecution case, after receiving a secret information, police raided Bhabhagama Chowk apprehending co-accused Bambam Kumar and Shivam Kumar while three other persons escaped. Officers recovered a loaded country-made pistol, cartridges and mobile phones from the apprehended persons.

4. Learned counsel for the petitioner submits that the present case has been filed on the basis of self-statement of the



police which had reached the place of occurrence upon confidential information that some preparation for dacoity was being done and they apprehended Bambam Kumar and Shivam Kumar. The name of the petitioner has only been taken by the said apprehended co-accused Bambam Kumar as being one of the persons who had fled away from the place of occurrence. Recovery of a country made pistol has also been made from the possession of the said apprehended co-accused Bambam Kumar. Barring such disclosure, there is nothing else to show the complicity of the petitioner in the present case. The petitioner has no criminal antecedent.

5. Learned APP for the State has opposed the application for anticipatory bail.

6. Taking into consideration the facts and circumstances and also considering the fact that the implication of the petitioner is based upon the disclosure made by the apprehended co-accused before the police, let the above named petitioner who has no criminal antecedent, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned court below where the case is pending/successor court in connection with Bihariganj P.S. Case No. 471 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., subject to the conditions that:

(I) One of the bailors will be a family member/close relative.

(II) The petitioner shall cooperate in the investigation/trial and in case of non-cooperation, the prosecution would be at liberty to move an application for cancelling the bail bonds of the petitioner.

(Soni Shrivastava, J)

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