

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25160 of 2026

Arising Out of PS. Case No.-9 Year-2026 Thana- PATEPUR District- Vaishali

Chandan Kumar Son of Upendra Rai @ Opi Ray @ Satya Narayan Ray
Resident of Village- Simarwara, P.S.- Patepur, District- Vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State .

2. Petitioner apprehends his arrest in a case registered for the offence punishable under Sections 25(1-B) a/26 of Arms Act and Section 37 of Bihar Prohibition & Excise (Amendment) Act, 2022.

3. Petitioner has antecedent of one case and informant alleges that on 11.01.2026 while he was on patrolling duty near Kach Bihari School, it is was observed that four persons were trying to flee upon seeing the police vehicle. Accordingly, one person was arrested in intoxicated condition and during search, one country-made pistol was recovered, it is next submitted that the petitioner was not arrested on the spot as such nothing was recovered from his conscious possession and he came to be



implicated in the instant case based on confessional statement of apprehended person in police custody which does not have any evidentiary value

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that it is not a case under the Excise Act rather the informant alleges that by chance, an accused was apprehended with arms and based on his disclosure, the name of the petitioner transpired, it is also submitted that from perusal of para 3 of the anticipatory bail application, it would manifest that petitioner has antecedent of one case which is not under the Excise Act, it is thus submitted that case requires to be investigated and the interrogation of the petitioner is required

5. Considering the submission made by the learned A.P.P., the Court is not inclined to grant privilege of anticipatory bail to the petitioner. Therefore, the prayer for anticipatory bail of this petitioner is dismissed.

(Satyavrat Verma, J)

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