

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26862 of 2026

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

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Chotu @ Rahis @ Chotu Kumar S/o Sant Lal Ray R/o Village - Simarwara
Durgapur, P.S - Patepur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Shweta Anand, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Patepur P.S. Case No. 09 of 2026, dated 11.01.2026, lodged under Sections 25(1-B)(a) & 26 of the Arms Act and Section 37 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, when the informant was on patrol duty, four persons were seen fleeing upon seeing the police. One individual was apprehended, from whose mouth the smell of alcohol was coming and a country-made pistol was recovered from the spot.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that nothing has been recovered from the possession of the petitioner. He also submits that the petitioner's name was disclosed by the apprehended accused person. Furthermore, he submits that the criminal antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that no arms have been recovered from the petitioner's possession.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Special Excise Court No. 2, Hajipur at Vaishali, in connection with Patepur P.S. Case No. 09 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. It is further directed that the Trial Court shall verify the criminal antecedent of the petitioner, and in case it is found at any stage that the petitioner has concealed his criminal antecedent, the Trial Court shall take steps for cancellation of



the petitioner’s bail bond. However, the acceptance of the bail bond in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J.)

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