

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32382 of 2026

Arising Out of PS. Case No.-286 Year-2024 Thana- KOTWA District- East Champaran

Redy Yadav S/o Bipin Yadav R/o- Village- Rajapur Mathiya, P.S.- Kotwa,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Kotwa P.S. Case No. 286 of 2024 for the offence under Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in brief, is that on 14.10.2024, the informant along with the police force was deputed for Durga Puja immersion duty at village Ahironia under Kotwa Police Station. During patrolling with the procession, three persons riding on a Hero Glamour motorcycle allegedly entered the procession with an intention to create fear and panic. It is alleged that the pillion rider took out and brandished a country-made pistol, whereupon the police apprehended him, while the remaining two accused fled away



taking advantage of the crowd. The apprehended accused disclosed his name as Shivam Kumar. Upon search, one country-made pistol, two live cartridges, one Hero Glamour motorcycle and one Redmi mobile phone were recovered from his possession and seized in accordance with law.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is contended that the petitioner has not committed any offence as alleged in the F.I.R. From perusal of the F.I.R., it appears that one co-accused, namely Shivam Kumar, was apprehended with the allegation that he, along with his associates, was brandishing a pistol during the procession of Durga Puja. It is further submitted that although the petitioner has been named in the F.I.R., his implication in the present case is solely based on the confessional statement of the apprehended co-accused Shivam Kumar, from whose possession the alleged arms and ammunition were recovered. Learned counsel further submits that no incriminating article has been recovered from the conscious possession of the petitioner and there is no independent material evidence connecting him with the alleged occurrence.

5. Learned APP opposes the prayer for bail.



6. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XI, East Champaran, Motihari, in connection with Kotwa P.S. Case No. 286 of 2024 subject to the conditions as laid down under Section 482 of B.N.S.S., as also with the condition that one of the bailors should be close relative of the petitioner.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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