

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42730 of 2026

Arising Out of PS. Case No.-9 Year-2026 Thana- SHAHKUND District- Bhagalpur

Bhavisya Yadav @ Bhavesh Yadav son of Arjun Yadav Resident of Village -
Golahu, Ps- Madhusudanpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ujjawal Kumar, Advocate
		Mr. Ashwini Kumar, Advocate
For the State	:	Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 31-07-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection with Shahkund P.S. Case No.09 of 2026 for allegedly having committed offences under Sections 126(2), 115(2) and 352 of the B.N.S. as well as Sections 25(1-B)(a) and 26 of the Arms Act.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that on the date of occurrence, while he was irrigating his agricultural field and was roaming around, the petitioner came at the place of occurrence on his motorcycle and after parking the motorcycle, assaulted the informant with fists and



legs and further threatened him that he will kill him and nobody would stop him from catching fish. When the informant shouted for help, the villagers came and upon seeing the villagers, the petitioner fled away, leaving his motorcycle at the place of occurrence. Upon search of the motorcycle, a bag was found wherein one country made pistol was allegedly concealed. The local police was informed and the pistol was seized.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated by the informant with ulterior motive. He submits that since the petitioner was not present at the place of occurrence, nothing was seized from him and therefore there is no question of recovery of country made pistol from his physical possession. The learned counsel for the petitioner further submits that even the motorcycle bearing Registration No. BR10AQ-2132 does not belong to the petitioner and therefore there is no question of involvement of the petitioner in the present case. He submits that there is a land dispute in between the family members of the petitioner and the family members of the informant therefore the present case has been lodged. He submits that the petitioner is an accused in one another case bearing Masudanpur P.S. Case No.32 of 2024 in which he is on bail.



5. *Per contra*, the learned A.P.P. for the State opposes the prayer for grant of anticipatory bail to the petitioner and submits that the petitioner is an accused in one another case of similar nature and therefore he does not deserve the privilege of anticipatory bail.

6. Having considered the rival submissions and after going through the records, it appears that the allegation has been levelled that the petitioner came on a motorcycle and when the villagers reached near the place of occurrence, he fled away leaving behind the motorcycle from which a country made pistol was recovered and the police was informed. The pistol along with the motorcycle was seized and a seizure list was prepared, however it has categorically been averred in the present anticipatory bail petition that the motorcycle does not belong to the petitioner and since the petitioner was not present at the place of occurrence, there is no question of any recovery of pistol from him.

7. Taking into consideration the facts aforesaid, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, be released 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



District & Additional Sessions Judge-XI, Bhagalpur in connection with Shahkund P.S. Case No.09 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

Sanjay/-

U		T	
---	--	---	--

