

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89204 of 2025

Arising Out of PS. Case No.-152 Year-2025 Thana- HATHAURI District- Muzaffarpur

Chandan Kumar Son of Sri Ram Vinod Sah R/o Village - Berai, P.S.-
Hathauri, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh

For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 15-01-2026 1. Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail,
arises out of Hathauri Police Station Case No. 152 of 2025,
disclosing offences under Sections 25(1-b)a, and 26 of the Arms
Act.
3. As per the prosecution case, on 31.08.2025, the
informant, acting on secret information, conducted a raid at the
house of Chandan Kumar. During the search, in the presence of
the raiding team, one pistol and two magazines were allegedly
recovered from a bag concealed in a drum of wheat on the roof
of the house. As no independent witnesses were available, the
seizure was made in the presence of police personnel and one
Sanjeev Kumar, who denied knowledge of the recovered
articles.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to a malafide and mechanical investigation. She next submits that no recovery, as alleged, was made from the conscious possession of the petitioner. The alleged building was under construction, not occupied by the petitioner, and accessible to all, with the lock and key admittedly in possession of a third person, namely Sanjeev Kumar, who has not been made an accused. The petitioner has no connection with the alleged seized arms or with Sanjeev Kumar and he is being repeatedly implicated due to police hostility and past antecedents, despite being on bail in all other cases.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that illegal fire arm has been recovered with magazine from the home of the petitioner, petitioner is having eight criminal antecedents of serious nature of offence, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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