

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89774 of 2025

Arising Out of PS. Case No.-401 Year-2025 Thana- SAHPUR District- Patna

Sanjay Kumar S/O Raja Ram R/O Mohalla- Rukanpura (Samta Vihar/ Adarsh Vihar) P.S.- Rupaspur, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Advocate
For the State : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-01-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Shahpur P.S. Case No. 401 of 2025 registered for the offence under Sections 25(1-B)(a), 25(1-AA), 26(2) and 35 of the Arms Act, lodged on 25.09.2025 by the informant, Abhay Mandal.

3. As per the prosecution story, the informant alleged that on secret information that repairs/sale purchase of arms are being conducted at Flat No. 607 in Agrahani Apartment under Danapur jurisdiction, it was raided. Awdhesh Kumar and Aman Kumar were caught alongwith arms, they gave the name of this petitioner alleging that he is in the business of land purchase and he has also role in it, accordingly, the F.I.R..

4. Learned counsel for the petitioner submits that



neither the flat belongs to him nor he has any concerned with the arrested persons. Further, he has no criminal antecedent and only because he is land broker, to pressurize, the name in the F.I.R..

5. Learned APP opposes the prayer submitting that his name has come in the confessional statement of the arrested person.

6. Considering the submissions of the parties as also the fact that recovery/seizure is from a flat which do not belong to the petitioner. Two persons were arrested with the arms, in their confessional statement, his name has cropped up, the petitioner has undertaken to cooperate in the investigation/appear in the trial, in that background, 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 receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Danapur, in connection with Shahpur P.S. Case No. 401 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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