

COURT OF 3rd DISTRICT & ADDITIONAL SESSIONS JUDGE, MUZAFFARPUR
{A.B.P. No. 1617/2026}
(In connection with Ahiyapur P.S. Case No. 719/2020)

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Ujjwal Kumar Pandey @ Mausam Kumar, aged about- 29 years,
S/o- Dayashankar Pandey, R/o Village- New Police Line, Ayodhya Nagar
Dadar, P.S.- Ahiyapur, Distt.- MuzaffarpurPetitioner.

Vs

State of Bihar..... Opposite Party.

ORDER

17.06.2026. Instant application for grant of anticipatory bail has been filed on behalf of petitioner named above who apprehends his arrest in connection with Ahiyapur P.S. Case No. 719/2020 registered for the offences punishable U/s. 414, 356, 379/34 of I.P.C. & 25(1B)(a), 26, 35 of Arms Act.

Heard Mr. Amar Kumar, learned advocate for the petitioner as well as Ms. Sangita Sahi, learned Addl. P.P. for the State.

Petitioner is not named in the F.I.R.

Prosecution case, in brief, is that at about 3:40 p.m. on 03.09.2020, informant, a police officer, along with other police personnel apprehended two persons who were being chased by the public calling them “thief thief” and recovered from their possession two loaded pistols, smart card of various motorcycles, a number of SIM cards and ATMs and smart phones and also a motorcycle. Apprehended persons disclosed their names as Karan Kumar Pandey and Md. Asique.

Learned advocate for the petitioner has submitted that petitioner is quite innocent. He except this case is accused only in Ahiyapur P.S. Case No. 261/2021 in which he is on bail and no bail application has been filed earlier on his behalf before either this court or the Hon’ble High Court, Patna. Petitioner is not named in the F.I.R. and nothing has been recovered from his possession. Moreover, co-accused namely Manish Kumar Pandey has been granted bail by the Hon’ble High Court, Patna vide order dated 26.03.2021 passed in criminal misc. no. 40403/2020. Similarly, co-accused Karan Kumar Pandey, Md. Ashin, Ranjan Kumar and Afsar Alam have been also granted bail by the Hon’ble High Court, Patna, vide order passed respectively in criminal misc. no. 1698/2021, 9886/2021, 994/2021 and 617/2021 and the case of the petitioner is on better footing. Hence, he may be granted anticipatory bail.

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Contd..... On the other hand, learned Addl. P.P. has vehemently opposed the grant of
17.06.2026 anticipatory bail to the petitioner.

Perused the certified copy of F.I.R., copy of case diary, copy of orders of the Hon'ble High Court, Patna, filed on behalf of the petitioner, by which co-accused- persons of this case has been granted bail and trial court record.

Having heard learned advocates from both sides and perused the documents mentioned above, this court finds that investigation against the petitioner is still continuing and co-accused Md. Ashique who had been apprehended along with another co-accused Karan Kumar Pandey and from whose possessions two loaded pistols, smart card of several motorcycles, several smart phones and several SIMs have been recovered has stated in his confession that this petitioner used to sell snatched/robbed items to people at low cost. The F.I.R. has been lodged in the year 2020 and nature of allegation against the petitioner as emerges from the confessional statement of co-accused appears to be serious. Moreover, co-accused-persons have been granted bail while they were in judicial custody and therefore, the case of this petitioner does not stands on similar footing.

So, considering the facts discussed above, and offence alleged in the F.I.R., requirement of a custodial interrogation of the petitioner cannot be ruled out. Therefore, this court is not inclined to grant petitioner anticipatory bail.

Accordingly, his prayer for bail is hereby **rejected**.

Let a copy of this order along with T.C.R. be forwarded to the court of C.J.M., Muzaffarpur for information & needful.

Dictated.
Sd/-
(Awadesh Kumar)
3rd Addl. Sessions Judge
Muzaffarpur.