

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9971 of 2025

Arising Out of PS. Case No.-768 Year-2024 Thana- AMARPUR District- Banka

Ankit Kumar Son of Bambam Kumar Sah Resident of Village- Kamadevpur,
P.S.- Amarpur, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajit Kumar, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 27-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Amarpus P.S. Case No. 768 of 2024 instituted for the offences
under Sections 310(4), 310(5) of the Bharatiya Nyaya Sanhita,
2023 and Sections 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that, police on a tip off
regarding assembly of anti-social elements conducted raid and
apprehended accused persons including the petitioner. It is
further alleged that a country-made pistol along with two live
cartridges have been recovered from this petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No



incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. There is no compliance of Section 103 of the BNSS. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.12.2024 and has no criminal antecedent. The co-accused person has already been granted bail by this Court vide order dated 17.02.2025 passed in Cr. Misc. No. 7691 of 205.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Amarpus P.S. Case No. 768 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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