

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10543 of 2025

Arising Out of PS. Case No.-186 Year-2024 Thana- KUTUMBA District- Aurangabad

Santosh Kumar @ Santosh Kumar Singh S/o Shiv Narayan Singh Residents
of village - Chamanpura, P.S.- Goh, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamendra Prasad Singh

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

3 09-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kutumba P.S. Case No. 186 of 2024 registered for the offences punishable under Sections 24(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution story, on 02.11.2024, during the course of routing vehicle checking, when the police inspected a bus, they got suspicion on a passenger, upon interrogation he disclosed his name as Santosh Kumar (petitioner). When the police searched his bag, one country made pistol and five live cartridges of Bore were recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. The entire prosecution case is false and fabricated, as a matter of fact, nothing incriminating has been recovered from the possession of the petitioner. The petitioner was returning from the house of his relatives and was waiting for bus on the road since evening, and only on the basis of suspicion, the police implicated the petitioner in the instant false case. Learned counsel further submits that the falsity of the case is more apparent from the fact that neither the bus driver nor the conductor and even a single passenger of the bus was made witness of seizure list whereas the informant is police official. Petitioner is in custody since 03.11.2024 and after completion of investigation chargesheet has been submitted by the police against the petitioner in this case.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail **after framing of charge** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Kutumba P.S. Case No. 186 of 2024 subject to the following conditions :-

(i). Petitioner will remain physically present in trial on



each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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