

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10895 of 2025

Arising Out of PS. Case No.-188 Year-2024 Thana- NAYAGAON District- Saran

Amar Kumar, Son of Suraj Sahni, resident of Mohalla- Nakhas Chowk, Ander
Kila, P.S -Town Hajipur, District- vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Nayagaon P.S. Case No. 188 of 2024, registered for the alleged offences under Sections 111, 310(4), 310(5) of BNS, 2023 and Section 25 (1-b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, police received information about three youths making plan to commit robbery and the police reached at the identified place and three persons started fleeing away on seeing police party, but two of them were apprehended and one fled away with the motorcycle. The petitioner is one of the apprehended persons. From the possession of this petitioner, recovery of a country made *katta*



and two live cartridges were made apart from two mobile phones.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person/possession of the petitioner and in order to humiliate the petitioner, the police has planted the allegedly recovered articles. All the witnesses are police personnel. There is no compliance of mandatory provision with respect to search and seizure. The petitioner is having criminal antecedent of two cases. The petitioner is in custody since 25.09.2024 and charge sheet has been submitted.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra/court concerned, in connection with Nayagaon P.S. Case No. 188 of 2024, subject to the conditions



mentioned in Section 437 (3) of the Code of Criminal Procedure
and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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