

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15785 of 2025

Arising Out of PS. Case No.-174 Year-2019 Thana- BETTIAH CITY District- West
Champaran

Subodh Mishra S/o Late Rajdeo Mishra R/o Barwat Lachhu, P.S.- Bettiah
Mufassil, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta, Advocate
For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 23-07-2025 Heard Mr. Umesh Kumar Gupta, learned counsel
appearing on behalf of the petitioner and Mr. Rajendra Prasad
Nat, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bettiah Town P.S. Case No. 174 of 2019 registered for the
offence(s) punishable under Sections 414 of the Indian Penal
Code and Sections 25(1-B)a, 26, 29 and 35 of the Arms Act.

3. As per the allegation made in the FIR, a loaded
country along with one cartridge was recovered from the
possession of one Sushil Kumar Singh @ Santu.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Name of the petitioner has



surfaced in this case on the basis of confessional statement of co-accused Sushil Kumar Singh @ Santu and confessional statement made before police has no evidentiary value. No incriminating article has been recovered from the possession of the petitioner.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioner in the FIR and also the fact that name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Sushil Kumar Singh @ Santu and confessional statement made before police has no evidentiary value, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with /Bettiah Town P.S. Case No. 174 of 2019, subject to the conditions as laid down under Section



482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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