

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22739 of 2025

Arising Out of PS. Case No.-247 Year-2024 Thana- NEORA District- Patna

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Anish Kumar S/O Anant Prasad R/o - Bihta Registry Office, P.S - Bihta,
District - Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Adv.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 16-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seek bail in a case instituted for the
offence under Section 310(4), 310 (5), 61(2) of B.N.S. and
Section 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, the police on secret
information conducted a raid and apprehended five persons
namely Anish Kumar, Chaman Raj, Manish Kumar, Nitish
Kumar Singh @ Produman and Raushan Kumar. On search one
country made pistol with three live cartridges and a mobile
phone was recovered from the petitioner.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case and no such incriminating article has been recovered



from the conscious possession of the petitioner, the seizure as stated is not correct as there were five persons apprehended at one place and the petitioner has falsely been singled out having found to be in possession of arms. Lastly, it has been submitted that the petitioner has clean antecedent and is in custody since 24.12.2024.

5. Learned APP for the State vehemently opposed the prayer of bail of the petitioner.

6. Considering the aforesaid submissions and taking into account the period of custody, let the petitioner, above named, be enlarged on bail, upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/concerned court, in connection with Neora P.S. Case No. 247 of 2024 subject to the following conditions:

- a. One of the bailor of the petitioner shall be his close relative.
- b. The petitioner will remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the



bail bond of the petitioner will be liable to be cancelled by the Court concerned.

d. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step of cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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