

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21819 of 2025

Arising Out of PS. Case No.-414 Year-2024 Thana- TURKAULIYA District- East
Champaran

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Bittu Kumar S/o Bhikhari Yadav @ Bhikhari Rai R/o Vill.- Pathkholiya, P.S.-
Turkauliya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra
For the Opposite Party/s : Mr.Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner seeks bail in connection with

Turkauliya P.S. Case No. 414 of 2024 registered for the

offences punishable under Sections 25(1-b)a, 26 and 35 of Arms

Act.

3. As per prosecution case, at the instance of

petitioner and co-accused Vikash Kumar, poultry farm of co-

accused Vikash Kumar was raided and there was recovery of

one loaded country made pistol and after unloading the same

two live cartridges were recovered. It is further alleged that one

country made pistol and one live cartridge were also recovered.

4. Learned counsel for the petitioner submits that



petitioner is in custody since 28.09.2024 and he bears no criminal antecedent. Petitioner is quite innocent and has committed no offence as alleged in the FIR. He further submits that there is no compliance of Section 103 of BNS. Petitioner is not the owner of the said poultry farm and he has no concern with the alleged recovery. He further submits that co-accused Bikash Kumar @ Vikash Kumar has already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No. 7702 of 2025 and the case of present petitioner stands on similar footing.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, co-accused has already been granted bail by the co-ordinate Bench of this Court, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, East Champaran, Motihari in connection with Turkauliya P.S. Case No. 414 of 2024, subject to following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

vashudha/-

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