

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18822 of 2025

Arising Out of PS. Case No.-416 Year-2021 Thana- GAYA MUFASIL District- Gaya

Bittu Kumar Son of Deelip Yadav @ Dilip Chandra Yadav Resident of
Mohalla - Mahadipur Kothi Rana Nagar, P.S. - Muffassil, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 416 of 2021 instituted for the offence
under Sections 25(1-b)a, 26(2) & 35 of the Arms Act.

3. Prosecution case in short police on a tip off
regarding six miscreants misbehaving with a girl near bank of
river, raided the spot from where, there is recovery of one
country made pistol, two live cartridges, clothes, two mobile
phones and four motorcycles.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 16-10-2024. Petitioner
bears two criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not even named in the FIR. Name of the petitioner has sprung in this case in course of investigation. Nothing incriminating has been recovered from the possession of the petitioner. One bullet motorcycle in question is allegedly recovered from the place of occurrence, which is registered in the name of father of the petitioner and the same was parked near a temple, where petitioner and his mother went to worship. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused have been granted bail by this Court vide orders dated 28-06-2022, 29-08-2022, passed in Cr. Misc. No. 4413 of 2022 and Cr. Misc. No. 29259 of 2022, respectively.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with



two sureties of the like amount each to the satisfaction of
Court below/concerned Court in connection with Muffasil
P.S. Case No. 416 of 2021.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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