

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23214 of 2025**

Arising Out of PS. Case No.-527 Year-2024 Thana- SIMRI BAKHTIYARPUR District-  
Saharsa

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1. Abhinandan Kumar @ Suman Kumar @ Abhinandan Kumar Sah S/o-  
Ramdeo Sah Village- Jamalnagar P.S- Banmaithari Dist- Saharsa
  2. Raj Kumar S/o- Prem Lal Sah Village- Jamalnagar P.S- Banmaithari Dist-  
Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Prafull Chandra Thakur

For the Opposite Party/s : Mr.Zainul Abedin

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**CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH**

ORAL ORDER

2      28-04-2025                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners have prayed for bail in connection  
with Bakhtiyarpur P.S. Case No. 527 of 2024 instituted for the  
offence under Sections 25 (1-B)(a), 26/35 of the Arms Act.

3. As per allegation in the FIR, acting on a tip off  
about hatching a conspiracy by two armed criminals, police  
officials during patrolling, signaled to stop a motorcycle on  
which two persons were riding. On seeing the police team, they  
started to escape but on chase, both were caught by the police  
force. On search, one loaded country made pistol and one live  
cartridge were recovered from their possession along with one



motorcycle without number plate.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case due to dirty village politics. Seized motorcycle belongs to the elder brother of petitioner no. 1 and in course of learning motorcycle, petitioners were arrested. No incriminating article has been recovered from their conscious possession rather due to high handedness of police officials, they took the petitioners signature forcibly on plain paper and later on manufactured the same as seizure-list. I.O. has submitted charge-sheet after investigation. Petitioner no. 2 is sole bread earner in his family and petitioner no. 1 is a student. Both the petitioners are languishing in judicial custody since 17.11.2024.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned CJM, Saharsa in connection with



Simari-Bakhtiyarpur P.S. Case No. 527 of 2024 with following conditions:

(i) Petitioners shall co-operate in the trial and shall be present on each and every fixed date and on their absence on two consecutive dates without sufficient reason, their bail bond may be cancelled by the Court below.

(ii) In case, the petitioners repeat offence of similar nature after enlargement on bail, their bail-bonds may be cancelled by the court below.

(iii) One of the bailors must be close relative of the petitioners.

**(S. B. Pd. Singh, J)**

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