

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24613 of 2025

Arising Out of PS. Case No.-285 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Bittu Kumar Son of Munarik Rai @ Munarik Ray @ Munarika Ray R/O
Village - Chaksakra Ward No.- 8, P.S.- Hajipur Sadar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Advocate

For the Opposite Party/s : Mrs.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Hajipur Sadar P.S. Case No. 285 of 2024 registered for the alleged offences under Sections 399, 402, 412 of the Indian Penal Code, Sections 25(1-b)a/26/35 of the Arms Act and Sections 8, 20(b)(ii)(c) of NDPS Act.

3. As per prosecution case, police received secret information about assembly of more than one dozen miscreants. A raid was conducted and 5 co-accused persons were apprehended. From the apprehended co-accused persons,



recovery of 1.140 kg of Charas apart from firearms and ammunitions, cash, mobile phone and motorcycle was made. The apprehended co-accused persons disclosed the name of the petitioner who fled away from the spot along with some other co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner who has been made accused in this case on the basis of confessional statement of co-accused persons. The co-accused Subodh Kumar and Adarsh Raj, from whom firearms were recovered, have been allowed privilege of regular bail by a Co-ordinate Bench vide order dated 26.10.2024 passed in Cr. Misc. Nos. 55499 of 2024 and 55639 of 2024, respectively. The case of the petitioner is on much better footing. The petitioner is in custody since 13.11.2024 and charge sheet has been submitted. The petitioner is having criminal antecedent of two cases and he is on bail in both the cases.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner appears to be a member of gang of criminals.



6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and further considering the fact that the petitioner was not apprehended from the spot, submission of charge sheet, period of custody of the petitioner and grant of bail to other co-accused persons, the petitioner above named is directed to 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 learned Principal District & Sessions Judge, Vaishali at Hajipur/concerned Court in connection with Hajipur Sadar P.S. Case No. 285 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the



petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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