

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29868 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- DARPA District- East Champaran

1. Vikash Kumar S/o Virendra Singh, R/o Village-Tinkoni, P.S- Darpa, District-East Champaran
2. Amarjeet Kumar, S/o Late Subhash Singh, R/o Village-Tinkoni, P.S- Darpa, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in connection with Darpa P.S. Case No. 17 of 2025 dated 22.01.2025 instituted for the offence punishable under Sections 111(3) of Bhartiya Nyaya Sanhita and Section 25(1-b)a, 26, 35 of Arms Act.

3. The allegation is of recovery of one country made pistol, three live cartridges and other incriminating articles from the house of co-accused Shyam Sundar Kumar.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. Learned counsel for the petitioners submits that no



incriminating articles has been recovered from the possession of the petitioners. Only mobile phones of the petitioners were recovered from the pocket of their trousers. Lastly, it has been submitted that the petitioners are in custody since 23.01.2025 having one criminal case against them. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran at Motihari in connection with Darpa P.S. Case No. 17 of 2025, subject to the following conditions:

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. One of the bailors will be their own blood relation, preferably father, mother, brother, sister and or their



wives.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioners are made accused in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail. .

(Khatim Reza, J)

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