

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34048 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- Singhaul District- Begusarai

Mintu Kumar Bind @ Mintu Kumar @ Mantu Kumar Bind S/o Late Ganesh Mahato R/o Rachiyahi Ward No.1, P.S.- Singhaul, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 35816 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- Singhaul District- Begusarai

Dular Kumar Nishad @ Dular Kumar S/o Navlki Mahto @ Nawalki Nishad Vill.- Simaria Ghat Bind Toli, P.S.- Chakia, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 34048 of 2025)
For the Petitioner/s : Mr. Perna Anand, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.
(In CRIMINAL MISCELLANEOUS No. 35816 of 2025)
For the Petitioner/s : Mr. Randhir Kumar No 1, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-05-2025 Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with Singhaul P.S. Case No. 35 of 2025, registered for the offences punishable under Sections 112(2) of the B.N.S. and Section 25(1-B)a, 26, 27 and 35 of Arms Act. Petitioners have four



criminal antecedents.

3. As per the prosecution case, the police received a confidential information that the accused persons including the petitioner were engaged in aerial firing to create terror in the area. On seeing the police party, two persons managed to escape, however, one of the accused, namely, Mintu Kumar Bind (petitioner) was apprehended who revealed that the two persons who escaped was Dular Kumar Nishad and the other was Bajrangi Nishad. On search, one live cartridges was recovered from the conscious possession of the petitioners and six empty cartridges were found nearby.

4. The learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. It has been stated by the learned counsel appearing on behalf of the Mintu Kumar Bind that even taking the allegation on its face value only one live cartridge is stated to have been recovered from his possession, however, no arms was recovered from his conscious possession. The learned counsel for the petitioner, Dular Kumar Nishad @ Dular Kumar submits that the petitioner was not apprehended at the place of occurrence and his name was stated by the co-accused Mintu Kumar Bind and no recovery has been made from his conscious possession.



It has finally been submitted that though the petitioners carry four criminal cases and Petitioner, namely, Mintu Kumar Bind is in custody since 03.03.2025 while petitioner, namely, Dular Kumar Nishad is in custody since 18.03.2025.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties and taking into account that one live cartridges was recovered from the petitioner, namely, Mintu Kumar Bind, however, no arms has been recovered from his conscious possession and no incriminating article has been recovered from the petitioner, namely, Dular Kumar Nishad, I am inclined to grant the petitioners privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the court of learned Sub Judge IV-cum-A.C.J.M.-IV, Begusarai, in connection with Singhaul P.S. Case No. 35 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioners shall be his close relative.



(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(vi) In view of the antecedent of the petitioners, the petitioners are directed to appear before the Superintendent of Police, Begusarai within fifteen days of their release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioners will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by them to initiate a proceeding for cancellation of bail



for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioners before the court concerned.

(Sourendra Pandey, J)

Siwani/-

U		T	
---	--	---	--

