

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33072 of 2025

Arising Out of PS. Case No.-602 Year-2024 Thana- NAANPUR District- Sitamarhi

Guddu Kumar S/O Sanjay Das Resident Of Village- Singhachouri, PS- Bokhara, Distt-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 34328 of 2025

Arising Out of PS. Case No.-602 Year-2024 Thana- NAANPUR District- Sitamarhi

1. Aman Kumar S/O Ram Sajivan Das Resident Of Village- Singhachouri, PS- Bokhara, Distt-Sitamarhi
2. Bittu Kumar S/O Shivbalak Sahni R/O Village-Bhoraha Ward no. 2,PS- Katra, Distt-Muzaffarpur
3. Shyamu Kumar @ Shyam Kumar @ Shyamu Das @ Danish S/O Dhanraj Das Resident Of Village- Singhachouri, PS- Bokhara, Distt-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 33072 of 2025)

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

(In CRIMINAL MISCELLANEOUS No. 34328 of 2025)

For the Petitioner/s : Mr.Sanjay Kumar. Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-05-2025 Both the cases arising out of same P.S being Nanpu

P.S. Case No. 602 of 2024 and hence, are being taken up

together.

2. Heard learned counsel for the petitioners and

learned APP for the State.

3. A prayer for bail has been made on behalf of the



petitioners in connection with Nanpu P.S. Case No. 602 of 2024 registered under sections 310(4), 310(5) of B.N.S, 2023 and Sections 26, 35 and 25(1-B)a of the Arms Act.

4. The allegations in the F.I.R is that some criminals had assembled to commit some crime. Upon a raid conducted by the police, five accused persons tried to flee away out of whom four were apprehended on the spot who are the petitioners herein. On search, a country made pistol, live cartridges along with other incriminating articles were recovered from the possession of the petitioners.

5. Learned counsel for the petitioners submits that a false recovery had been shown from the petitioners as no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.S.S. The petitioner has made a signature over the seizure list but it has been submitted in this regard that the petitioner was forced to do the same although there was no recovery from their physical or conscious possession. The petitioners are in custody since 21.11.2024 and undertake to cooperate in the case/trial. Charge-sheet has been submitted in the case.

6. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that petitioners have



criminal antecedents. However, it is submitted by learned counsel for the petitioners that petitioners are on bail on the said cases.

7. Taking into consideration the above mentioned facts of the case and also considering the fact that the petitioners are in custody since 21.11.2024, the petitioners are directed to be enlarged on bail in connection with Nanpu P.S. Case No. 602 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Pupri at Sitamarhi on the following conditions:-

(I) One of the bailors of the petitioners shall be the family member/close relative of the petitioners.

(II) The petitioners shall remain physically present in the learned trial Court on each date and shall cooperate in the trial till framing of charge. In case the petitioners are absent on the two consecutive dates, the learned trial Court is at liberty to cancel the bail bond of the petitioners.

(Soni Shrivastava, J)

Harsh/-

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