

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39665 of 2025

Arising Out of PS. Case No.-482 Year-2024 Thana- BELAGANJ District- Gaya

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Bittu Kumar @ Santan Kumar, Male, aged about 30 years, Son of Sri Sanjan Paswan @ Sanjay Paswan @ Sanjan Paswan, Resident of Village - Koriyama, P.S.- Men, District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Aryan Singh, Advocate

For the Opposite Party : Mr. Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-06-2025 This matter has been listed under the heading “For orders (on office notes)”.

2. Let the defect no. 6(1), as pointed out by the office notes dated 16.06.2025, be ignored.

3. Heard learned counsel for the petitioner and learned A.P.P. for the State.

4. The petitioner seeks bail in connection with Belaganj P.S. Case No. 482 of 2024 dated 14.08.2024 registered for the offences punishable under Section 317(5) of B.N.S., 2023 and Sections 25(1-B)(a), 26, 35 of the Arms Act.

5. As per the prosecution case, police raided the house of Satyendra Kumar which was given on rent to the petitioner and the other co-accused Shubham Kumar @ SujamKumar,



where in a room Bittu Kumar (petitioner) and Shubham Kumar @ Sujam Kumar were found sitting. On search, one country made Katta, one live and two misfired cartridges, Rs. 30,500/- in cash, one country made Katta, one Hanumani locket of gold, one mobile of green colour of C-Call company which is out of order without sim of Keypad, one thumb impression machine of black colour, one screen touch mobile, one Keypad mobile of black colour were found from the pocket of the pant of the co-accused Shubham Kumar @ Sujam Kumar and one Apache Motorcycle from the said house and other articles from the other co-accused persons.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that no incriminating article has been recovered from the possession of the petitioner rather the alleged recovery was made from the house of Satyendra Kumar. It is further submitted that the real fact of the case is that the petitioner was going to the village of his relative and on the way several persons were assembled there, therefore, he also stayed there and started watching the raid, in the meantime, police told him to become witness in the present case and when he denied, police caught hold of and arrested him and created a story that the



petitioner was caught hold from the house of Satyendra Kumar. He has no concern with the alleged offence. The petitioner has six criminal antecedents as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 15.08.2024.

7. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

8. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya in connection with Belaganj P.S. Case No. 482 of 2024 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

9. The application stands allowed.

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(Chandra Prakash Singh, J)

