

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35526 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- PATAHI District- East Champaran

1. Akhand Jyoti @ Satyam Kumar S/o Chitranjan Singh @ Lalan Singh R/o Vill- Jihuli, P.S.- Patahi, Distt- East Champaran
2. Ram Vinay Singh @ Ramvinay Kumar Singh S/o Late Jagarnath Singh R/o Vill- Jihuli, P.S.- Patahi, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prince Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-07-2025 Heard learned counsel appearing on behalf of the

petitioners and the learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with Patahi P.S.Case No.03/25 registered for the offences punishable under Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the allegation made in the FIR, the co-accused including the petitioners with a common intention to kill the *Mukhiya* of the Village fired upon him, as a result, he received injuries.

4. Learned counsel appearing on behalf of the petitioners submitted that no injury has been caused to the said *Mukhiya* and due to rivalry, the petitioners have been made accused in the present case on frivolous grounds in which recovery of arms has been made by the Police from the husk near the house of one Santosh Singh, who is not accused in the



present FIR. Learned counsel further submitted that the petitioners have been granted bail in Patahi P.S. Case No.36420 of 2025, vide order dated 25.06.2025, which also arises out of same incident and evidently the recovery of the arms has been made from the husk of one Santosh Singh. Petitioner no.1 has six criminal incidents whereas petitioner no.2 has four criminal antecedents. On the aforesaid grounds, learned counsel submitted that the petitioners deserve to be released on pre-arrest bail.

5. *Per contra* Mr. Ajit Kumar, learned APP for the State submitted that the alleged recovery of the Arms has been made from the husk near the house of one Santosh Singh. All the co-accused including the petitioners with a common intention had tried to kill the *Mukhiya* of the village. Petitioners have past criminal history and it will not be in the interest of the society to release the petitioners on pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the allegation made in the FIR, I find that the seizure list has been prepared but there is no independent witness. Recovery of the arms has allegedly been made from the husk near the house of one Santosh Singh. No recovery has been made from the house of the petitioners.



Petitioners have been released on pre-arrest bail in connection with Patahi P.S.Case No.36420 of 2025, vide order dated 25.06.2025 and this case also arises out of the same incident. As such, the petitioners have made out a case to be released on pre-arrest bail. The petitioners are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist class, East Champaran, Motihari/concerned court, in connection with Patahi P.S.Case No.03/25, subject to conditions as laid down under Section 482(2) of BNSS of 2023

7. The learned district court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

chn/-

U			
---	--	--	--

