

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39915 of 2025

Arising Out of PS. Case No.-176 Year-2024 Thana- PRATAPGANJ District- Supaul

Ujjwal Kumar S/o- Suresh Yadav @ Suresh Prasad Yadav Village- Gangsagar
PS-Pratapganj District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur, Adv.

For the Opposite Party/s : Mr. Renuka Ratnakar (APP 125)

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Pratapganj P.S. Case No. 176 of 2024 instituted for the offences
under Sections 310(4), 310(5) of the Bharatiya Nyaya Sanhita,
2023 and Sections 25(1-b)a, 26, 35 of the Arms Act

3. Prosecution case, in short, is that, police, on the
basis of secret information that some miscreants have assembled
at the spot to commit crime, raided the place. Seeing the police
party, all the accused persons tried to flee away but four accused
persons were apprehended and one motorcycle as also one
loaded country-made pistol was recovered.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case due to dirty village politics as well as his criminal antecedents. The name of the petitioner transpired in this case on the basis of disclosure made by the apprehended co-accused person namely Rahul Kumar. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunition as also with the motorcycle. Learned counsel further submitted that T.I.P. has not been conducted till date. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.10.2024 and has nine criminal antecedents in which he is on bail as has been stated in Para-3 of the present bail petition. He further submits that the co-accused Md. Anwarul @ Chand @ Md. Chand @ Md. Anwarul Chand has already been granted bail by this Court vide order dated 28.04.2025 passed in Cr. Misc. No. 4584 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner as also the prayer for bail being based on parity, this



Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pratapganj P.S. Case No. 176 of 2024, subject to the following conditions:

- (i) One of the bailors shall be own/close member of the family of the petitioner.
- (ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.
- (iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

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