

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40503 of 2025

Arising Out of PS. Case No.-321 Year-2024 Thana- PATEPUR District- Vaishali

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1. Amresh Kumar S/O Arun Ray @ Arun Kumar Ray R/O Vill.- Madhopur, P.S.- Deoria, Dist.- Muzaffarpur.
 2. Lalbabu Patel S/O Suresh Patel @ Suresh Ray R/O Vill.- Basaitha, P.s.- Saraiya, Dist.- Muzaffarpur.
 3. Ranjan Kumar @ Rajan Kumar S/O Naresh Sahni R/O Vill.- Madhopur, P.s.- Deoria, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Adv.
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Patepur P.S. Case No. 321 of 2024 instituted for the offences under Sections 310(4)/310(5) of the Bhartiya Nyaya Sanhita, 2023 and Sections 25(1-b)(a)/26/35 of the Arms Act.

3. As per prosecution case, the police on receipt of secret information reached at the place of occurrence and arrested the accused persons including the present petitioners. On search, one country-made pistol with one live cartridge has been recovered from the possession of the petitioner nos.1 & 2.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case only on the basis of suspicion. The petitioners have not committed any offence as alleged in the F.I.R. He further submits that nothing incriminating has been recovered from the conscious/physical possession of the petitioners. Learned counsel for the petitioners further submits that the co-accused Kunal Kumar and Shivam Kumar have already been granted bail by the learned court below. The petitioners have four criminal antecedents each and are languishing in judicial custody since 19.10.2024 without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners, stating that the offence alleged against the petitioners is serious in nature. The petitioners are named in the F.I.R. and, hence, they do not deserve bail.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case and the period of custody of the petitioners, let the petitioners, abovenamed, 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 Court below/concerned Court in connection with Patepur P.S. Case No. 321 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioners.

(ii) The petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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