

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41687 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- Jaitpur District- Muzaffarpur

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Alok Kumar @ Bittu Kumar @ Bittu Thakur S/o Sanjay Kumar @ Sanjay Thakur R/o Village- Jagarnath Patahi, P.S.- Muzaffarpur Sadar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Nitu Kumari, Adv.

For the Opposite Party/s : Mr.Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-07-2025 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Jaitpur P.S. Case No. 50 of 2025 dated 02.04.2025 registered for the offences punishable u/ss 317(5) read with Section 3(5) of the B.N.S. and Sections 25(1-B)(a), 26 and 35 of the Arms Act and Sections 20 and 22 of the N.D.P.S. Act.

3. As per the prosecution case, on 02.04.2025, on secret information, some miscreants were coming on two motorcycles from Chakyam towards Pokhraise village. The informant along with the police personnel proceeded to verify the same. On seeing police, the accused persons tried to flee



away but three miscreants were apprehended and two miscreants managed to escape. The apprehended persons disclosed their names as Vivek Kumar, Vishal Kumar and Dilkhush Kumar and they also disclosed the names of the persons who fled away from the spot as Bittu Thakur (petitioner) and Agam Kumar. On search, two mobile phones and 25 packet of smack quantity 15 gms. was recovered from the possession of the co-accused, Vivek Kumar. One mobile phone and 25 packets smack quantity 16 gms., were recovered from the possession of the co-accused, Vishal Kumar and one mobile, two live cartridges and one country make katta were recovered from the possession of the co-accused, Dilkhush Kumar. One motorcycle was also recovered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has surfaced in this case merely on suspicion. Nothing has been recovered from the conscious possession of the petitioner rather the said recovery has been made from the co-accused persons. Learned counsel has further submitted that the seized contraband is less than the commercial quantity. It is further submitted that the petitioner has no concern with the alleged recovery. The petitioner has two



criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 25.04.2025.

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

6. 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 Court concerned, Muzaffarpur in connection with Jaitpur P.S. Case No. 50 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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