

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48729 of 2025

Arising Out of PS. Case No.-236 Year-2024 Thana- BELA District- Sitamarhi

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Amit Kumar S/o Bikau Sah @ Vikau Sah R/o Village - Bishunpur ward no. 4,
P.S. - Bela, Dist. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bela P.S. Case no. 236 of 2024 instituted for the offence under Sections 310(4), 310 (5) of BNS and Sections 25 (1-b)a, 26 and 35 of the Arms Act as well as Sections 8, 20 (b) (ii) (B) of the NDPS Act.

The case of the prosecution is that on 02.11.2024 at 04:15 A.M. while the informant was near ‘*Gamhariya*’ with his associate during the course of night patrolling duty, four persons were apprehended. It is further alleged that 3.9 K.G. of ‘*ganja*’ was recovered from a bag carried by co-accused, Sachin Kumar. A loaded country made pistol with a live cartridge was also



recovered from Sachin Kumar as well. One live cartridge and a 'knife' was recovered from the possession of co-accused, Ravi Raj. One live cartridge and an iron '*dabiya*' was recovered the possession of co-accused, Suresh Mahato. One live cartridge and a '*knife*' was recovered from the possession of co-accused, namely, Deepak Kumar. The apprehended persons disclosed the name of the petitioner.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that nothing has been recovered from the physical possession of the petitioner. His name has surfaced on the basis of the confessional statement of the co-accused persons. It is also submitted by the learned counsel for the petitioner that he has been framed in this case only he is having a criminal antecedent of one case.

5. Learned APP appearing for the State vehemently opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of



four weeks from today and in the event of his arrest or surrender in connection with Bela P.S. Case no. 236 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge -II, Sitamarhi, subject to the conditions as laid down unde Heard learned counsel for the petitioner and learned APP for the State.

(Ashok Kumar Pandey, J)

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