

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52640 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- Darhar District- Saharsa

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Bikash Kumar @ Vikas Kumar @ Vikash Kumar S/o Punanand Badhai @
Punand Badhai R/o Village- Katiyahi, Ward No. 03, P.S.- Darhar, District-
Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Darhar
P.S. Case No. 11 of 2025 registered for the offence punishable
under Sections 25(1-A), 25(1-AA), 25(1-B), 25(1-B)a, 26, 35 of
the Arms Act.

3. The case of the prosecution as per typed petition of
informant, Jitendra Kumar, S.I. Darhar, P.S. is that on
16.02.2025 at 16:05 hours, he along with other police personnel
proceeded for patrolling. During course of patrolling at around
18:05 hours, he got information that Bikash Kumar (petitioner)
and his father Punanad Badhai were manufacturing illegal
country-made arms in their carpenter shop. Thereafter, the



informant along with other police personnel proceeded to the said location for taking necessary action. There were total two people including the petitioner and on seeing the police force, they tried to flee but the petitioner was caught and the other person managed to escape taking advantage of darkness. On interrogation, the person who was caught red handed told his name as Bikash Kumar (the petitioner) and when questioned about the person who had fled away, he stated that he was his father, Punanand Badhai. Upon search of the house of petitioner, many half made country made pistols and parts of pistols, live cartridge and other materials which are used for manufacturing illegal arms and ammunition along with one Oppo touch-screen mobile phone with Airtel sim in it were recovered. On being asked about the said arms and articles, no valid papers were produced by the petitioner nor any satisfactory answer was given by the petitioner regarding the seized arms and ammunition.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and he has been falsely implicated in the present case. He further submits that the petitioner has been wrongly arrested and under coercion, confessional statement has been recorded. Learned counsel further submits that the



petitioner does not have any criminal history and is in custody since 16.02.2025 and charge-sheet has already been filed thereby completing the investigation and, therefore, no purpose would be served in keeping the petitioner in custody. The petitioner is a man of means and there is no chance of his absconding and tampering with the evidence. He further submits that the petitioner is ready to abide by the conditions which may be imposed by this Court.

5. Learned APP appearing for the State strongly opposes the prayer for regular bail of the petitioner submitting that the petitioner was caught red handed and all the materials for manufacturing of illegal arms and ammunitions were recovered from the house of the petitioner. The entire story being presented by the petitioner is concocted for the reason that the recovery has been done from the house of the petitioner which he cannot deny. Since the petitioner is involved in manufacturing of illegal arms and ammunitions, therefore, he is a threat to the society and should not be enlarged on bail.

6. Considering the fact that the petitioner has caught red handed and the recovery of illegal arms has been done from the house of petitioner and that the petitioner has failed to produce any document to give satisfactory answer with regard



to the articles seized as also the seriousness of the crime against civic society, this Court is not inclined to grant the privilege of bail to the petitioner.

7. Accordingly, the present bail application stands rejected.

(Alok Kumar Sinha, J)

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