

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51437 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

=====

Mithilesh Kumar @ Mithilesh Yadav @ Mithilesh Singh, S/O Kishori Singh
R/O Village- Manjhauli, Ward No. 12, P.S- Salimpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bakhtiyarpur GR P.S. Case No. 12 of 2025, registered for the alleged offence under Sections 25 (1-B)a and 26 of the Arms Act.

3. As per prosecution case, police received information about the petitioner, who has been absconding in Bakhtiyarpur (Fatuha) P.S. Case No. 168/2023 sitting at Majhauli Halt. A raid was conducted and this petitioner was apprehended after chase and from his possession, a country made *katta* and three live cartridges were seized.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person/possession of this petitioner. No independent witness was joined in search and seizure. If the petitioner was not named in Bakhtiyarpur (Fatuha) P.S. Case No. 168/2023, the petitioner was having no knowledge for the said case and there was no question of his absconding. As the police could not get any evidence against the petitioner in Bakhtiyarpur P.S. Case No. 168/2023, they have manufactured the evidence in the present case. The learned counsel further submits that though the petitioner is said to be apprehended with three live cartridges but two of such cartridges have been found to be dud and only one cartridge was live. The petitioner is in custody since 04.02.2025 and charge sheet has been submitted. The petitioner is having antecedent of two cases and in one case he is on bail.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the period of custody of the petitioner and submission of charge sheet, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the



like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Railway Court, Patna/court concerned, in connection with Bakhtiyarpur G.R.P.S. Case No. 12 of 2025, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

U		T	
---	--	---	--

(Arun Kumar Jha, J)

