

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57033 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- KUTUMBA District- Aurangabad

Kapil Kumar S/O Late Madan Saw R/O Village- Baidya Bigha, P.S.-
Hariharganj, Dist.- Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Mukul Kumari, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 27-08-2025 Heard Mrs. Mukul Kumari, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending arrest in connection with Kutumba P.S. Case No. 52 of 2025 instituted under Sections 25(1-b)a, 26, 35 of the Arms Act lodged on 22.03.2025 by the informant, Chandan Paswan.

3. As per the prosecution story, the informant who is a Police Officer has alleged that on information about movement of four wheeler Baleno Car was about to cross Hariharganj, it was intercepted, the allegation is that from the car there is recovery/seizure of country made revolver and mobile phone. The arrested persons alleged that it was hidden by the petitioner Kapil Kumar and Md. Jamil. This led to the FIR.

4. Learned counsel for the petitioner submits that



only because of criminal antecedent, he has been implicated. Neither the car belongs to him nor he was driving it. If granted relief, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer.

6. Considering the submissions of the parties as also the materials on record, admittedly, he was not sitting in the car when the recovery/seizure is made, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Kutumba P.S. Case No. 52 of 2025 to the satisfaction of learned S.D.J.M., Aurangabad subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ravi/-

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

