

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62597 of 2025

Arising Out of PS. Case No.-183 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Punkesh Baitha S/o Ram Kishun Baitha R/O- Iswapur, PS- Kuchaikote,
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-09-2025 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 Kuchaikote P.S. Case No. 183/2025 dated 10.05.2025 registered for the offences punishable u/s 111(1) of the B.N.S. and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the police official found a video clip in which the co-accused, Rishu Kumar and Vicky Kumar were brandishing illegal arms, thereafter, police conducted a raid and apprehended both the accused persons and at their instances two country made Kattas and a live cartridge were recovered from the orchard of Parma Ram and two country



made Kattas and other equipments used in making illegal arms were also recovered from the house of petitioner, Punkesh Baitha. It is further alleged that the petitioner used to run a mini gun factory illegally and was also indulged in the business of selling the illegal arms.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence. Similarly situated co-accused has already been granted bail by this court vide order dated 10.09.2025 passed in Cr. Misc. No. 54012 of 2025. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.05.2025.

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, Gopalganj in connection with Kuchaikote P.S. Case



No. 183/2025, with the condition/s:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(ii) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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