

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63885 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- BITHAN District- Samastipur

Vishal Kumar @ Kulkul Son of Upendra Panjiyar R/o Village - Bithan, P.S. -
Bithan, Dist. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shishir Kumar Shishir, Advocate

Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Bithan
P.S. Case No. 34 of 2025 instituted for the offence under
Sections 25(1-b)a, 26, 27 & 35 of the Arms Act.

3. Prosecution case in short is that there is recovery of
one country made pistol, two live cartridges and one empty
cartridge from the possession of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 11-04-2025. Petitioner
bears three criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that petitioner has no concern with the recovered arms. Nothing has been recovered from the conscious possession of the petitioner. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bithan P.S. Case No. 34 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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