

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67664 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- Baijnathpur District- Saharsa

Sushil Kumar @ Sushil Yadav @ Sushli Kumar S/O Late Dev Narayan Yadav
Resident of Village- Lakshminiya, Ward No. 11, P.S.- Baijnathpur, District-
Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Baijnathpur P.S Case No. 55 of 2025 registered for the offences
punishable under Sections 25(1-b)a 26/35 of the Arms Act.

3. As per allegation in the FIR, there is recovery of
two live cartridge from the possession of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner's name has been has been implicated in
this case due to dirty village party politics. He further submits
that the name of the petitioner has been figured by the
confessional statement of the co-accused. He further submits



that till now no TIP has been conducted by the officials. He further submits that petitioner is in custody since 15.05.2025 having twelve antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and impugned order dated 21.08.2025, it appears that name of the petitioner has been figured from the confessional statement of the co-accused. Charge sheet has already been submitted and till now no TIP has been conducted. So, considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Saharsa in connection with Bajjnathpur P.S Case No. 55 of 2025 subject to condition that petitioner shall remain present on each and every date fixed by the Trial Court till the conclusion of the Trial.

(Ramesh Chand Malviya, J)

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