

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66110 of 2025

Arising Out of PS. Case No.-133 Year-2025 Thana- KHAIRA District- Saran

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Ankit Kumar, aged about 22 years, Gender-Male, Son of Late Suresh Prasad,
Resident of Village - Kanhauli, Manohar, P.S.- Baniyapur, District – Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Khaira
P.S. Case No. 133 of 2025 instituted for the offences punishable
under Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, petitioner was caught
along with his associates armed with country made pistol, live
cartridges, Gupti and mobile phone.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of mere
suspicion. He submits that petitioner was neither arrested on the
spot nor any incriminating articles have been recovered from the
conscious possession of the petitioner. He further submits that a



country made pistol was recovered from the possession of co-accused Kishan Kumar and not from the petitioner. He next submits that no arms and ammunitions have been recovered from the possession of the petitioner. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 24.06.2025.

5. Learned APP for the State opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned District and Additional Sessions Judge-14th Saran at Chapra dated 08.08.2025, it appears that on the basis of written report of the informant Vineet Kumar, Sub-Inspector in Khaira Police Station, FIR has been registered under Sections 25(1-b)a, 26 and 35 of the Arms Act against four co-accused persons including the present petitioner. It appears that three co-accused persons arrested at the spot and upon search one country made pistol, live cartridge and a mobile has been recovered from the possession of accused Kishan Kumar, Iron Gupti with a mobile phone has been recovered from Akash Kumar and a mobile phone was also recovered from Ankit Kumar (petitioner), who driving the motorcycle. Similarly situated co-accused person namely Kishan Kumar has been granted bail by a Co-ordinate



Bench of this Court in Cr. Misc. No. 63704 of 2025 vide order dated 10.09.2025, so considering all these aspects of the case, I am inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Judicial Magistrate-1st Class, Saran at Chapra in connection with Khaira P.S. Case No. 133 of 2025.

(Ramesh Chand Malviya, J)

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