

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72186 of 2025

Arising Out of PS. Case No.-308 Year-2025 Thana- KESARIA District- East Champaran

AMAN KUMAR BAITHA S/O DASAI BAITHA R/o vill - Siswa Patna,
ward no. 5, P.S.- Kesariya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shamir Mehra, Adv

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Kesariya P.S. Case No. 308 of 2025 registered for the offences
punishable under Sections 25(1-b)a, 26 and 35 of Arms Act.

3. As per prosecution case, one country made pistol
was recovered from the petitioner and two live cartridges were
recovered from the possession of co-accused Bittu Kumar.

4. Learned counsel for the petitioner submits that
petitioner is in custody since 07.07.2025 and petitioner bears
criminal antecedent of one case in which he is on bail.
Learned counsel orally submits that charge sheet has been
submitted in the case and there is no likelihood of tampering
with the prosecution evidence. It is further alleged that an



anonymous viral photo received on whatsapp of the informant upon which the petitioner has been apprehended. Petitioner has nothing to do with the alleged recovery. Petitioner is quite innocent and has falsely been implicated in the case.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that there is allegation against the petitioner in the FIR and he cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class Sadar, Motihari, East-Champan in connection with Kesariya P.S. Case No. 308 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive



dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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