

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71501 of 2025

Arising Out of PS. Case No.-503 Year-2025 Thana- MAHUA District- Vaishali

Amresh Kumar, S/O Vidhayanand Paswan, Resident of Village- Kirtarpur
Rajaram, Police Station- Bhagwanpur, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 31-10-2025 Heard Mr. Sachin Kumar, learned counsel for the

petitioner and Ms. Anita Kumari, the learned A.P.P. for the

State.

2. Petitioner, who is in custody, seeks bail in
connection with Mahua P.S. Case No. 503 of 2025 registered for
the offences punishable under Sections 25(1-B)(a), 26 of the
Arms Act, 1959.

3. As per the prosecution case, the police on secret
information conducted a raid and apprehended one person, who
was hiding behind the school. On inquiry he disclosed his name
as Amresh Kumar (petitioner) and on search one country made
pistol along with one live bullet in the chamber and five live
bullets in the magazine was recovered from the spot. It has also
been stated that one Pulsar motorcycle was also recovered from



the spot along with a mobile telephone.

4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated and no incriminating article as alleged has been recovered from his possession. It has been submitted that the motorcycle does not belong to the petitioner and in fact is registered in the name of his younger brother Indresh Kumar. It has been submitted that no independent witness was there to the seizure made and the charge-sheet has already been submitted. The learned counsel lastly submits that the petitioner has one criminal antecedent and he is in custody since 28.04.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Mahua P.S. Case No. 503 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.



(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

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

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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