

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74177 of 2025

Arising Out of PS. Case No.-239 Year-2025 Thana- AMNAUR District- Saran

1. Prince Kumar S/O Sunil Ray R/O Vill.- Fulwariya, P.s.- Maker, Dist.- Saran.
2. Manish Kumar S/O Prabhu Rai R/O Vill.- Dhorlahi Kaithal, P.s.- Amnour, Dist.- Saran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in connection with Amnour P.S. Case No. 239 of 2025 registered for the offences punishable under Sections 310(4), 310(5), 310(6), 111 of BNS and Section 25(1-b)a, 26, 35 of the Arms Act.

3. As per prosecution case, one country made pistol loaded with one live cartridge and mobile were recovered from possession of petitioner no. 2/ Manish Kumar. It is further alleged that one live cartridge, mobile and Rs. 4,000/- were recovered from possession of petitioner no. 1/ Prince Kumar.

4. Learned counsel for the petitioners submits that petitioners are quite innocent and have committed no offence as



alleged in the FIR and they have falsely been implicated in this case. Petitioners are in custody since 07.08.2025. Petitioners bear criminal antecedent of three cases in which they are on bail. Seizure list has not been made as per law. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioners and submits that there is alleged recovery of one country made pistol loaded with one live cartridge as well as mobile from possession of petitioner no. 2/ Manish Kumar and one live cartridge, mobile and Rs. 4,000/- from possession of petitioner no. 1/ Prince Kumar.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Amnour P.S. Case No. 239 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) Petitioners 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 petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) Petitioners shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and they will get their presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

shahzad/-

U		T	
---	--	---	--

