

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73179 of 2025

Arising Out of PS. Case No.-82 Year-2025 Thana- UPHARA District- Aurangabad

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Jitu Kumar S/O Haridwar Singh R/O Village- Bajitpur, PS- Uphara, Distt.-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Singh
For the Opposite Party/s : Mrs. Madhuri Lata

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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
Uphara P.S. Case No. 82 of 2025, registered for the offences
punishable under Sections 25(1-B)a/ 26 of the Arms Act.

3. As per prosecution case, there is allegation that
one country made single barrel rifle was recovered from a steel
box kept in the room of the petitioner kept by the side of the
stair.

4. Learned counsel for the petitioner submits that
the place of recovery is a joint house property and, hence,
petitioner cannot be held liable for the alleged recovery.
Petitioner has one criminal antecedent in which he is on bail. No
incriminating article has been recovered from the conscious



possession of the petitioner. Petitioner is in custody since 16.07.2025. Charge-sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that the petitioner cannot escaped from the allegation made in the F.I.R.

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, 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, 1st Class, S.D.J.M. Court, Daudnagar, Aurangabad in connection with Uphara P.S. Case No. 82 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)

Ranjeet/-

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