

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76176 of 2025

Arising Out of PS. Case No.-170 Year-2024 Thana- MADHEPUR District- Madhubani

Ghuran Kamat Son of Ganesh Kamat R/o Village - Bhith Bhagwanpur, P.S. -
Madhepur, Dist. - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Madhepur P.S. Case No. 170/2024 corresponding to G.R. No.
1763/2024 registered for the offences punishable under Sections
310(4)/310(5) of the B.N.S. and Sections 25(1-B) (a)/ 26/ 35 of
the Arms Act.

3. As per prosecution case, there is alleged recovery of
one country made pistol and one live cartridge from the
possession of co-accused Sushil Kumar Yadav. Apprehended co-
accused disclosed the name of the petitioner and other who fled
away from the place of occurrence.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has committed no offence as alleged
in the FIR and he has falsely been implicated in this case due to



dirty village politics. Except disclosure of co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. The petitioner is languishing in custody since 24.06.2025 and bears one criminal antecedent in which he is on bail. No incriminating articles has been recovered from the conscious possession or the house of the petitioner. There is no independent witness of the alleged occurrence. He further submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. In the light of aforesaid facts and circumstances of the case, no offence is made against the petitioner under the aforesaid Sections. Apprehended co-accused Sushil Kumar Yadav who disclosed the name of the petitioner, has already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No.26722/2025 and the case of present petitioner stands on better footing.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submitted that the petitioner is FIR named accused and he cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, period of custody, co-accused has already been granted bail, charge sheet has already been submitted in this 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 petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Jhanjharpur, District-Madhubani, corresponding to G.R. No. 1763/2024 in connection with Madhepur P.S. Case No. 170/2024, 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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