

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77078 of 2025

Arising Out of PS. Case No.-110 Year-2024 Thana- GAMAHAIRIYA District- Madhepura

Laltu Kumar Son of Mahendra Mehta R/o Village- Tarabe, Ward No. 05, P.S.-
Gamhariya, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Akash Anand, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2025 Heard Mr. Akash Anand, learned counsel for the

petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Gamhariya P.S. Case No. 110 of 2024, F.I.R. dated 26.06.2024 for the offences punishable under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the First Information Report, on information when the police reached the place of occurrence, three persons sitting on one motorcycle, seeing police, attempted to flee away in course of which, one person was apprehended and other two managed to escape. It is further alleged that the police recovered one country made pistol, one live cartridge and one empty cartridge from the possession of apprehended co-accused



person.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. It appears from the FIR that name of the petitioner transpired on the basis of disclosure made by apprehended co-accused person, namely, Golu Kumar and the recovery has been made from his possession.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and the recovery has been made from the apprehended co-accused, who also disclosed the name of the petitioner, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 C.J.M. Madhepura in connection with Gamhariya P.S. Case No. 110 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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