

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82352 of 2025

Arising Out of PS. Case No.-10 Year-2024 Thana- SAHIYARA District- Sitamarhi

Pintu Kumar S/O Shiv Shankar Ram R/O Village- Matiyar Khurd, P.S- Sahiyara, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Sahiyara P.S. Case No. 10 of 2024, instituted for the offences punishable under Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that there is recovery of one country made pistol and one live cartridge from the possession of co-accused, namely, Kundan Das.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case as well as charge has also been framed against the petitioner. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner was not arrested on spot. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused persons and the same has got no evidentiary value. It is next submitted that the arms have been recovered from the possession of co-accused, namely, Kundan Das. The petitioner is in custody since 26.09.2024 and has got nine criminal antecedents. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 29.04.2024 passed in Cr. Misc. No. 27905 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court



in connection with Sahiyara P.S. Case No. 10 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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