

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2432 of 2025

Arising Out of PS. Case No.-578 Year-2024 Thana- ARA NAWADA District- Bhojpur

Chhotu Kumar Singh @ Chhotu Kumar @ Chotu Singh Son of Krishnadev Singh @ Kishandev Singh R/o Mathurapur PS -Warishnagar (Bajar Samiti OP), Distt.- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 3683 of 2025

Arising Out of PS. Case No.-578 Year-2024 Thana- ARA NAWADA District- Bhojpur

Monu Kumar S/o Late Ashok Pandey Resident of Dumri, P.S.- Singhaul, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 2432 of 2025)

For the Petitioner/s : Mr. Madhav Kumar, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 3683 of 2025)

For the Petitioner/s : Mr. Sanjay Sinha, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 12-05-2025 Heard learned counsel for the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with Ara Nawada, P.S. Case No. 578 of 2024, registered for the offences punishable under Sections 310(4), 310(5), 310(6), 111(1) of the B.N.S., 2023 and Sections 25(1-B)(a), 26, 35 of the Arms Act. The petitioner no.1, namely, Chhotu Kumar has clean antecedent while



petitioner no.2, namely, Monu Kumar has two criminal antecedents.

3. The prosecution case in brief is that the informant on secret information, intercepted a motorcycle and three persons were apprehended at the place of interception and one bike, without any registration no. was seized and below the seat of the said bike one country-made pistol and four live cartridges were also recovered.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel further submits that admittedly from perusal of the FIR, only a mobile phone was recovered from the possession of the petitioners while they were not concerned with the recovery of the country-made pistol and four live cartridges. The learned counsel has further submitted that petitioners are not the owner of the said seized motorcycle. Lastly, it has been submitted that the petitioner no.1 has clean antecedent while petitioner no.2 has two antecedents and petitioner no 1 is in custody since 08.08.2024 while petitioner no. 2 is in custody since 07.08.2024.

5. Learned Additional Public Prosecutor for the State opposes the prayer for bail and has stated that the petitioners along with other co-accused persons who were about to commit some offence, however, they were apprehended.

6. Considering the aforesaid submissions made by the respective parties and taking into account that no incriminating article has been recovered from the petitioners barring a mobile



phone and also taking into account the period of custody, I am inclined to grant the petitioners privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the court of learned C.J.M., Bhojpur, Ara in connection with Nawada P.S. Case No. 578 of 2024.

(Sourendra Pandey, J)

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