

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2918 of 2026

Arising Out of PS. Case No.-109 Year-2025 Thana- Pothia District- Katihar

Md. Himayu @ Md. Hemayu @ Md. Humayun S/o Md. Sanno @ Shamim
Ahamad R/o Village - Rajdhani, Ward No. 13, P.S - Falka, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

4 02-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Pothia P.S. Case No. 109 of 2025 dated 08.09.2025 registered for the offences punishable under Sections 111 and 61(2) of B.N.S. and Sections 25(1)(a), 25(1)(b), 25(1-A), 25(1-AA), 25(1-B)a, 26 and 35 of Arms Act.

3. As per the allegation on confidential information that consignment of illegal arms is being carried on motorcycle, two persons seated on a motorcycle, were intercepted who disclosed their names as Md. Munna, co-accused and this petitioner. The petitioner is stated to have been driving the motorcycle and co-accused Md. Munna was found to be seated as a pillion rider and from the two bags some semi made pistol



were recovered and from this petitioner a mobile phone was recovered.

4. Learned counsel for the petitioner has submitted that petitioner is student and he has falsely been implicated in this case. Nothing has been recovered from the conscious possession of this petitioner and there is no antecedent against this petitioner which is be also evident from the antecedent report submitted by the Superintendent of Police, Katihar. Moreover, charges have been framed in this case and he undertakes to co-operate in the trial and further submitted that this petitioner is in custody since 09.09.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case as well as the period of custody, the petitioner above-named is directed to be enlarged 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 Court concerned, Katihar in connection with Pothia P.S. Case No. 109 of 2025.

7. It is directed that the petitioner shall co-operate in the trial and be represented on each and every date in the trial and if he fails to do so on two consecutive dates, the trial court



would be at liberty to cancel the bail bonds of the petitioner.

8. It is further directed that if the petitioner gets involved himself in similar nature of offence in future, the State would be at liberty to file application for cancellation of his bail bonds.

9. The application stands allowed.

(Praveen Kumar, J)

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