

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8389 of 2026**

Arising Out of PS. Case No.-112 Year-2025 Thana- HAJIPUR RAIL P.S. District- Saran

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Avinash Kumar @ Awinash Kumar @ Abhinash Kumar S/o- Ramlochan  
Kuwar Resident of Village- Maniappa Ward No- 01 PS-Matihani District-  
Begusarai Bihar ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

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**Appearance :**

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

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

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**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      06-02-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for bail in connection with  
Hajipur Rail P.S. Case No. 112 of 2025 registered for the offence  
punishable under Sections 111, 318(4) of the B.N.S., 2023 and  
Sections 25(1-b), (a), 26, 35 of the Arms Act.

3. The case of the prosecution, in short, is that from a  
Bolero car Driving License, Aadhar Card, PAN card, arms license  
were found. From the front and rear seat of the car, 50 live  
cartridges wrapped in black colour foil were also recovered.

4. Learned counsel appearing on behalf of the petitioner  
has submitted that petitioner is innocent and has committed no  
offence. He has been falsely implicated in this case. Learned  
counsel for the petitioner submits that the petitioner is neither the  
owner nor the driver of the said vehicle rather his name has  
surfaced in the confessional statement of Sona Babu. Petitioner  
was no apprehended from the place of occurrence. It has also been



submitted that the driver and owner of the said vehicle have already been granted bail by this Court in Cr. Misc. Nos. 79923 of 2025 and 80888 of 2025 respectively. Learned counsel for the petitioner has further submitted that nothing has been recovered from the possession of the petitioner. Save and except the confessional statement of co-accused, there is nothing against the petitioner. It has further been submitted that Sona Babu has also been granted bail by this Court vide Cr. Misc. No. 73679 of 2025. He further submits that the petitioner is languishing in judicial custody since 13.10.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Sonapur in connection with Hajipur Rail P.S. Case No. 112 of 2025.

**(Ashok Kumar Pandey, J)**

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