

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10912 of 2026

Arising Out of PS. Case No.-299 Year-2023 Thana- HARSIDHI District- East Champaran

Bittu Prakash @ Bittu Kumar S/o Sheo Kumar Yadav R/o Village - Dhawahi,
P.S - Harsidhi, District - East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-05-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Harsidhi P.S. Case No.299/2023, registered for the offences
punishable under Sections 399, 402, 413, 414 of the Indian
Penal Code & Sections 25(1-b)a, 26, 35 of the Arms Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of five cases and is in custody since
12-11-2025 and the informant alleges that an information
was received that criminals have gathered with an intent to loot
a businessman, accordingly he reached the place of occurrence
along with police force and six accused were apprehended and
from the apprehended accused, pistol, live cartridges and mobile
were recovered as detailed in the FIR and they disclosed the



name of petitioner and Umesh, who fled from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot and his name transpired in the confessional statement of apprehended accused in police custody, which does not have any evidentiary value. It is also submitted that since petitioner has antecedent, as such informant got him implicated through the apprehended accused persons.

5. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that the informant received an information that criminals have gathered to loot a businessman and accordingly informant along with police force reached the place of occurrence and six accused were apprehended from whom pistol and live cartridges were recovered and it was on their disclosure that name of petitioner transpired. It is next submitted that if privilege of regular bail is granted to the petitioner, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that Umesh Kumar had approached this Court seeking regular bail by filing Cr. Misc No. 10206 of 2026 and the same came to be allowed by an order dated 24-4-2026, it is also



submitted that it is not the case of the prosecution that accused persons including the petitioner looted any businessman, on which the learned APP submits that Umesh Kumar was a person with clean antecedent.

6. After hearing the learned counsel for the parties, the Court is not inclined to release the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.

7. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Satyavrat Verma, J)

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