

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12050 of 2026

Arising Out of PS. Case No.-346 Year-2025 Thana- SHAHPUR PATORI District- Samastipur

Kundan Kumar S/o Ganesh Roy R/o Village- Mukundpur, Ward No.26, P.S-
Patori, Dist- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Patori P.S. Case No.346 of 2025 for the offences registered under
Sections 25(1-B)a, 26 of the Arms Act.

3. As per the prosecution case, the informant has
alleged that the petitioner who is accused in Patori P.S. Case
No.203 of 2025 was at litchi orchard alongwith one Upendra
Mishra, thereafter he reached there and caught the petitioner. It is
further alleged that one country made pistol, two live cartridges
and two mobiles were recovered from the possession of petitioner
in the presence of two police personnel.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this case.



He further submits that petitioner is a laborer and was caretaker of the said orchard but due to village politics he has been implicated in this case. Learned counsel submits that the seized articles does not belong to the petitioner. He further submits that there is violation of statutory provisions with respect to search and seizure. Learned counsel submits that charge sheet has been submitted in this case after completion of investigation. He further submits that petitioner has one criminal antecedent, in which he is on bail. Petitioner is in custody since 11.08.2025 and he undertakes to co-operate in the trial.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case, the nature of allegation against the petitioner as well as the period of custody already undergone by him, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Patori, Samastipur/ concerned Court in connection with Patori P.S. Case No.346 of 2025, subject to the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Trial Court.

(2) If the petitioner tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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