

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11901 of 2026

Arising Out of PS. Case No.-441 Year-2025 Thana- PHULPARAS District- Madhubani

=====

Avinash Kumar @ Avnish Kumar S/O Sudhir Kumar Singh @ Sudhir Singh
@ Sudheer Kumar Singh Village- Amouja, PS- Phulparas, District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. Petitioner seeks regular bail in a case registered
under Sections 126(2) 115(2), 109(1), 352, 303(2) and 3(5) of
B.N.S. and Section 25(1-B)a, 26 and 35 of the Arms Act.

3. As per prosecution case, on the alleged date of
occurrence, when the informant and his brother reached near
Kali Asthan at about 8:00 p.m., four unknown persons came
with motorcycle and surrounded them and took away
Rs.31,500/- from the pocket of informant and started to flee
away, during course of which police came there and arrested the
petitioner on the spot and on search, a country made pistol along
with three live cartridges was recovered from the waist of



petitioner. Police also seized one motorcycle from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating article has been recovered from conscious possession of the petitioner. Petitioner has no concern with the seized motorcycle. The charge sheet has already been submitted and there is no chance of absconding of the petitioner or tampering with the evidence. Petitioner, aged about 19 years, is in jail since 24.10.2025 having no criminal antecedent and he undertakes to cooperate in the trial.

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

6. Considering the facts and circumstances of the case, submissions of the parties and the facts that petitioner is a young boy aged about 19 years, charge sheet has already been submitted, there is no criminal antecedent of petitioner and the period of custody undergone by him, let the above named petitioner be released 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 A.C.J.M. -II, Madhubani/concerned court in connection with Phulparas P.S.



Case No.441 of 2025 corresponding to G.R. No.1991 of 2025.

(Sunil Dutta Mishra, J)

Harish/-

U		T	
---	--	---	--

