

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16981 of 2026**

Arising Out of PS. Case No.-11 Year-2025 Thana- CHAUTHAM District- Khagaria

Fantush Kumar @ Awadhesh Yadav, S/O Chhatri Yadav, R/O Village- Farreh,
P.S- Chautham, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

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

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

2 16-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Chautham P.S. Case No.11 of 2025 registered for the offence punishable under Sections 25(1-B)a, 26(1) and 35 of the Arms Act.

3. The case of the prosecution, in short, is that from the house of this petitioner, one country made pistol, four live cartridges and one empty cartridge were 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. Nothing has been recovered from his possession. The witnesses of the seizure list are police personnel. Police has not



complied Section 105 of the B.N.S.S. while making the seizure. It has also been submitted that petitioner also suffering from cancer. He is languishing in judicial custody since 11.01.2026.

5. Learned APP appearing for the State has vehemently opposed the application for bail and has submitted that petitioner is having criminal antecedent of seven cases.

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 Chief Judicial Magistrate, Khagaria in connection with Chautham P.S. Case No. 11 of 2025 **with the condition that petitioner shall cooperate in the trial and shall remain physically present on each and every date in the learned trial Court.**

(Ashok Kumar Pandey, J)

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