

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19375 of 2026

Arising Out of PS. Case No.-196 Year-2025 Thana- Bhararhi District- Madhepura

Amit Kumar Son of Akhilesh Kumar Resident of Village - Baliyaspatti
Parsarma, P.S. And District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
	;	Ms. Isha Mishra, Advocate
For the Opposite Party/s	:	Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-03-2026 Heard Mr. Sharda Nand Mishra, learned counsel for
the petitioner as well as Ms. Rina Sinha, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
14.10.2025 in connection with Bharrahi P.S. Case No. 196 of
2025, F.I.R. dated 13.10.2025 for the offences punishable under
Sections 309(4) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, on 12.10.2025 at
about 10.00 PM the informant, who is bodyguard of ASJ-VIth,
Madhepura along with his friend were coming from Gwalpara
to police line, Madhepura. He guesses two boys riding on a
motorcycle were chasing him. While driving, one truck came in
front of him due to which the informant fell down and his pistol



fell down. Then informant lifted his pistol in injured condition but till then two boys came there, snatched his pistol and fled away.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Petitioner is not named in the FIR and merely on the basis of suspicion he was arrested and his confessional statement was taken before the police. Nothing has been recovered from the conscious possession of the petitioner. Infact looted arms were recovered from the house of the co-accused Jaskaran Kumar and till date no TIP has been conducted by the prosecution and the petitioner is in custody since 14.10.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and his name transpired on the basis of suspicion and till date no TIP has been conducted by the prosecution, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhepura in connection with Bharrahi P.S.



Case No. 196 of 2025, subject to the following conditions:-

i. 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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