

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25230 of 2026

Arising Out of PS. Case No.-162 Year-2025 Thana- PANDARAK District- Patna

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Gautam Kumar S/o Mangal Yadav @ Awdhesh Kumar R/o Lemuabad, P.S.-
Pandarak, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-04-2026 Heard Mr. Dharendra Prasad Sinha, learned
counsel for the petitioner as well as Md. Shakir Ahmad, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
19.09.2025 in connection with Pandarak P.S. Case No. 162 of
2025, F.I.R. dated 19.09.2025 for the offences punishable under
Sections 25(1-b)a/26/27/35 of the Arms Act.

3. According to prosecution case, on secret informant
when the police reached the place of occurrence, they saw
miscreants fleeing away. Two of them were apprehended by the
police and one of them disclosed himself as the petitioner. On
search one country made pistol was recovered from the
possession of the petitioner.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He next submits that seizure list witnesses are police personnel and there is non-compliance of Section 103 of BNSS. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 19.09.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances, 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 A.C.J.M-I, Barh, Patna in connection with Pandarak P.S. Case No. 162 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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