

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25685 of 2026

Arising Out of PS. Case No.-906 Year-2025 Thana- MOTIHARI TOWN District- East
Champaran

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Md. Amir Khan, S/o Md. Munna Khan, R/o Village - Nakchhed Tola, P.S.-
Motihari Town, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sitesh Kashyap, Advocate
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 01-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Motihari Town P.S. Case No. 906 of 2025 registered for the offence punishable under Sections 25(1-B)a, 26, 35 of the Arms Act. However, the police has found the occurrence to be true under Sections 126(2), 115(2), 352, 109(1) and 3(5) of B.N.S. and Sections 25(1-B)a, 26, 35 of the Arms Act.

3. The case of the prosecution, in short, is that the police received information that one Ritesh Kumar had been fired by unknown miscreants. Police also came to know that the petitioner and one Md. Sahil Alam have fired at the victim.

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. Learned counsel for the petitioner has submitted that on same day from a toilet the petitioner and Md. Sahil Alam both were arrested and from the possession of this petitioner, one loaded country made pistol was recovered. It has further been submitted that during course of investigation, the injured Ritesh Kumar has given his statement and has stated that Md. Sahil Alam has fired at him. It has further been submitted that co-accused Md. Sahil Alam has been granted bail by this Court vide Cr. Misc. No. 12475 of 2026. It has further been submitted that the allegation of firing is against co-accused Md. Sahil Alam, only recovery has been made from this petitioner. Moreover, petitioner is languishing in judicial custody since 09.09.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail and has submitted that the petitioner is having criminal antecedent of three 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 C.J.M.,
Motihari, East Champaran in connection with Motihari Town
P.S. Case No. 906 of 2025.

(Ashok Kumar Pandey, J)

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