

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30167 of 2026

Arising Out of PS. Case No.-454 Year-2025 Thana- KOTWA District- East Champaran

Vikash kumar @ Pakaudi Son of Nageshwar Rai @ Nageshwar Ray Resident
of village - Muja Bangara, ps- Dewariya, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Kotwa P.S. Case No. 454 of 2025 registered for the offence punishable under Sections 25(1-B)a, 25(1-A), 26 and 35 of the Arms Act.

3. The case of the prosecution, in short, is that from the possession of this petitioner, one loaded country made pistol with one live 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. He also submits that nothing has been recovered from the possession of the petitioner. The witnesses of the seizure list are



police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. Moreover, the \petitioner is languishing in judicial custody since 23.12.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner has criminal antecedent of four 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 **with the condition that the petitioner shall cooperate in trial and shall remain physically present on each and every date fixed by the learned court below.** 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 Judicial Magistrate, 1st Class, East Champaran, Motihari in connection with Kotwa P.S. Case No. 454 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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