

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45728 of 2026

Arising Out of PS. Case No.-152 Year-2023 Thana- BARGAINIA District- Sitamarhi

Shatrudhan Kumar @ Shatrughan Kumar @ Kaliya S/o Umesh Singh
Residents of Village - Musachak, P.S. - Bairstania, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-07-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bairstania P.S. Case No. 152 of 2023 instituted for the offence
under Sections 399, 402 & 414 of the Indian Penal Code,
Sections 8, 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic
Substances Act, 1985 and Sections 25(1-B)a, 26 & 35 of the
Arms Act.

3. The prosecution case, in brief, is that on
21.06.2023, acting on information that the accused had reached
a shop to demand extortion, the police conducted a raid,
apprehended four persons while others fled away, and recovered
a country-made pistol with live cartridges, 1.610 kg of charas,



ammunition, mobile phones, cash, and a vehicle from their possession.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.04.2026. Petitioner bears five (5) criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has transpired on the basis of confessional statement of co-accused. Petitioner was not apprehended on the spot. Nothing has been recovered from the conscious possession of the petitioner. Charge sheet has already been submitted in this case. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been granted bail by this Court vide order dated 04-04-2024, passed in Cr. Misc. No. 25973 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.



8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bairgania P.S. Case No. 152 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner will not tamper with the evidence or the witnesses during the trial.

(IV) Petitioner shall not commit offence of similar nature in future.

If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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