

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72041 of 2025

Arising Out of PS. Case No.-226 Year-2025 Thana- PARBATTI District- Khagaria

Saintu Kumar @ Sintu Kumar S/O Vikash Kunwar @ Viyash Kunwar R/O
Sonvarsha Ward No 7, P.S- Bihpur, District- (Naugachhia) Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 19-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 132, 109(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 25 (1-B)(a), 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, acting on a tip-off, when the police raided and chased the miscreants, they opened fire on the police party. The petitioner and one co-accused were apprehended by the police and one country made *katta* and three mobile phones were recovered from the possession of the petitioner.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated and a



false recovery of loaded country made pistol and one live cartridge has been shown to be recovered from his possession but there is no signature of any independent witness, violating the mandatory provisions of search and seizure. As a matter of fact, the petitioner had gone to the place of occurrence for some work and an altercation took place on account of which a false recovery has been shown. No injury has been caused in the entire transaction to anybody. It is also pointed out that the similarly situated co-accused, Rakesh Kumar has already been granted the privilege of bail vide order dated 01.12.2025 passed in Cr. Misc. No.80168 of 2025 by a coordinate Bench of this Court. It is also submitted that the chargesheet has been submitted against the petitioner and he is languishing in custody since 21.06.2025.

5. Learned APP for the State opposed the bail petition.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the chargesheet has been submitted against the petitioner coupled with the fact that one almost similarly situated co-accused has already been granted bail by a co-ordinate Bench of this Court, the above named petitioner is directed to be enlarged on bail on



furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Parbatta P.S. Case No.226 of 2025.

(Soni Shrivastava, J)

Trivedi/-

U		T	
---	--	---	--

