

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74502 of 2025

Arising Out of PS. Case No.-151 Year-2025 Thana- Arwal District- Arwal

Utkarsh Kumar @ Utkarsh S/o Rajiv Ranjan Choudhary R/o Village-
Keshopur Bakri, P.S.- Udwantnagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 12-02-2026 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 109, 317(4), 338, 336(3), 340(2), 318(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 25 (1-B)(a), 26 and 27 of the Arms Act.

3. As per the prosecution case, the petitioner is said to have apprehended by the police while attempting to commit robbery.

4. It is submitted by learned counsel for the petitioner that for an occurrence of the same day, two cases were lodged and in the present F.I.R. non-bailable sections were added to increase the gravity of the case. It is further submitted that the search and seizure was not done in presence of any



independent witness and recovery of one pistol from his possession has been shown by the police only for the purposes of implicating him. The petitioner was never involved in any planning to commit loot and although there is an allegation on him resorting to firing, no injury has been sustained by any person. Further, the petitioner is languishing in custody since 23.04.2025 and almost similarly situated co-accused, Prince Kumar alias Bittu has been granted the privilege of bail by a Bench of this Court vide order dated 10.11.2025 passed in Cr. Misc. No.65033 of 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 petitioner has now remained in custody for almost ten months coupled with the fact that almost similarly situated co-accused has been granted bail by a 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 Arwal P.S. Case No.151 of 2025, subject to the conditions



that :

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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