IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76569 of 2026

CNR No. BRHC011102062026

Arising Out of PS. Case No.-76 Year-2026 Thana- PIRBAHOR District- Patna

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Amit Kumar @ Maldah Son of Umesh Thakur Resident of Village- Vishunpur Baladhari, Balwa Kuwari, P.S.- Sadar, District- Vaishali

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 29-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Pirbahore P.S. Case No. 76 of 2026 instituted for the offence under Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. Prosecution case in short is that there is recovery of one country made pistol along with five cartridges from the possession of the co-accused, namely, Ayush Kumar.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.04.2026. Petitioner bears four (4) criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

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5. It has been further submitted by the petitioner’s counsel that petitioner has been falsely implicated in the present case. Petitioner was not arrested from the spot and apprehended accused person disclosed the petitioner's name as the person who fled away from the spot. It is submitted that petitioner has no concern with the recovered arms. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel next submits that police after investigation has already submitted charge sheet in this case. There is no compliance of Section 103 of the BNSS, 2023.

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 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 Pirbahore P.S. Case No. 76 of 2026, subject to the following conditions:

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

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family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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