

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81082 of 2025**

Arising Out of PS. Case No.-360 Year-2025 Thana- SUGAULI District- East Champaran

Abhay Kumar @ Bittu S/O Kripa Shankar Yadav Resident of Vill.- Naya Tola, Harpur, P.S- Pipra Kothi, P.O- Pipra Kothi, Distt.- East champaran Bihar 845429

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amit Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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

ORAL ORDER

3      09-02-2026                                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Sugauli P.S. Case No. 360 of 2025, instituted for the offences punishable under Sections 310(3), 310(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that police received information that the petitioner along with others was planning to commit an offence. Acting on the said information, the police raided the said place and it is alleged that three persons were apprehended from the spot including the petitioner. From possession of the petitioner, two live cartridges



have been recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submitted that the petitioner was arrested only on the basis of suspicion. The petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 05.07.2025 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 24.09.2025 passed in Cr. Misc. No. 66738 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sugauli P.S. Case No. 360 of 2025.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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