

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85951 of 2025

Arising Out of PS. Case No.-133 Year-2025 Thana- SIWAIPATTI District- Muzaffarpur

Arun Kumar S/o Janak Bhagat Resident of Village- Paigambarpur, P.S.-
Siwaipatti, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Usha Kumari, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-03-2026 Heard Ms. Usha Kumari, learned counsel for the

petitioner as well as Mr. Vinod Shanker Modi, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
28.07.2025 in connection with Siwaipatti P.S. Case No. 133 of
2025, F.I.R. dated 28.07.2025 for the offences punishable under
Sections 25(1-b)a, 26, 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. The case of the prosecution is that police recovered
one loaded country made *katta*, one unloaded country made
katta, one cartridge and Rs.25,000/- in cash from the house of
the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. She further submits that although recovery have



been made from the house of the petitioner but there is non-compliance of Section 103 of BNSS. She further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 28.07.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that recovery have been made from the house of the petitioner and apart from that petitioner carries six criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the three cases.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Muzaffarpur in connection with Siwaipatti P.S. Case No. 133 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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