

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86735 of 2025

Arising Out of PS. Case No.-310 Year-2025 Thana- KHIJARSARAI District- Gaya

Gautam Kumar, Son of Uday Kumar Resident of Village - Belwa, Ps-
Khizarsarai, Dist- Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2026 Heard Mr. Ajay Kumar Sinha, learned counsel for the

petitioner and Mr. Parmanand Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Khijarsarai P.S. Case No. 310 of 2025, F.I.R. dated 12.08.2025 for the offences punishable under Sections 25(1-B)A, 26, 35 of the Arms Act.

3. According to prosecution case, the petitioner had given one pistol to co-accused Tinku Kumar who had stopped the school bus and demanded Rs. 10,00,000/- (Rs. Ten lac) as extortion money from the owner of the bus.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R.



itself that the recovery have been made from possession of the co-accused person namely Tinku Kumar and on the basis of deposition made by him the name of the petitioner has come in the present case. Except disclosure of the co-accused no other allegation to suggest the involvement of the petitioner in the present occurrence.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 J.M., 1st Class, Gaya Ji in connection with Khizarsarai P.S. Case No. 310 of 2025, subject to the conditions as laid down under Section 482(2) of the Code of Criminal Procedure and with other 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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