

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87466 of 2025

Arising Out of PS. Case No.-284 Year-2025 Thana- KHAJANCHI HAT District- Purnia

Amit Kumar @ Raushan Kumar @ Roushan Kumar S/o Sri Upendra Prasad
@ Upendra Ray @ Upendra Rai Resident of Village- Bairiya, Karanpura, PS-
Gopalpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in K.Hat P.S. Case
No. 284 of 2025 dated 13-07-2025, registered under Sections
25(1)(a), 25(1-A), 25(1-B)(a), 26 and 35 of the Arms Act.

3. The allegation is of recovery of a pistol and a large
number of cartridges (440) from the vegetable shop of the co-
accused, Kunal Kumar, situated near the Indane Gas Godown in
Sudhanshu Nagar, Ward No. 18, District Purnea.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that the name of the
petitioner has been dragged in the instant case merely on the



basis of the so-called confessional statement of the co-accused, Kunal Kumar and the petitioner was apprehended from his house at Patna. It is further contended that no incriminating article was recovered either from the conscious possession of the petitioner or from his house. On the contrary, the alleged incriminating articles were seized from a vegetable shop situated near the Indane Gas Godown. Lastly, it is submitted that the petitioner has been in custody since 31.08.2025 and one criminal case is pending against him, in which he is already on bail.

5. Learned Additional Public Prosecutor for the State has opposed the prayer.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Purnea, in connection with K.Hat P.S. Case No. 284 of 2025, subject to the following conditions: (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed 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) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse (iv) that 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 and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of charge in this case.

7. The application stands allowed.

(Khatim Reza, J)

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