

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90658 of 2025

Arising Out of PS. Case No.-492 Year-2022 Thana- KOTWA District- East Champaran

Sumit Kumar @ Ravan Son of Ashok Sah R/o - Chatiya Tola Dhup Sah, P.S -
Malahi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kant Mani Tripathi, Advocate

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

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

ORAL ORDER

2 13-01-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Kotwa P.S. Case No. 492 of 2022, instituted for the offences punishable under Sections 399, 402 of the Indian Penal Code, Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that on the basis of secret information, the police arrested two co-accused persons and recovered two country made pistols along with two live cartridges.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner was not arrested on spot. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused persons and the same has got no evidentiary value. It is further submitted that the petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 20.12.2024 and has got two criminal antecedents in which he is on bail.

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 Kotwa P.S. Case No. 492 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.90641

(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)

Rajorshi/-

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