

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90781 of 2025

Arising Out of PS. Case No.-331 Year-2024 Thana- CHAUSA District- Madhepura

Sintu Kumar @ Sittu Kumar S/o- Sri Deepnarayan Yadav Resident of village-
Rasulpur Dhuriya Ward No 11 PS- Chousa Distt- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr. Sanjiv Kumar, learned counsel for the

petitioner and Mr. Shailendra Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
13.02.2025 in connection with Chousa P.S. Case No. 331 of
2024, F.I.R. dated 25.12.2024 for the offences punishable under
Sections 132, 109(1) of the BNS, 2023 and Section 25(1-B)(a),
26, 35 and 27 of the Arms Act.

3. According to prosecution case, police got
information that the accused persons who were also made
accused in Chousa P.S. Case No. 233 of 2023 in a crime of
murder were hiding in the house of co-accused, Rupesh Yadav
and Rahul Yadav and when the police reached there, then all the
accused persons including this petitioner got successful in



escaping from there except one Rahul Kumar who disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The allegation as alleged in the F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and his name has been transpired on the basis of the disclosure made by the apprehended co-accused, namely, Rahul Kumar and recovery has been made from the co-accused, Rahul Kumar and Rupesh Yadav. As per the allegation in the F.I.R the petitioner escaped from the place of occurrence. Except the aforesaid no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 13.02.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries six criminal antecedents other than the present one but fairly submits that the petitioner is on bail in one case and rest cases are pending for consideration before the competent court of law.



6. Considering the aforesaid facts and circumstances that the name of the petitioner has been transpired on the disclosure made by the apprehended co-accused person, nothing has been recovered from the conscious possession of the petitioner as well as period of custody, 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 District and Additional Sessions Judge-IX, Madhepura in connection with Chousa P.S. Case No. 331 of 2024, 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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