

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2066 of 2026

Arising Out of PS. Case No.-421 Year-2025 Thana- BHORE District- Gopalganj

Nitesh Kumar Son of Ramaji Manjhi Resident of Village- Gausesiya
(Lamechour), P.S.- Jagtauli, O.P. Bhore, District- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-01-2026 Heard Mr. Pankaj Kumar Dubey, learned counsel for
the petitioner and Mr. Dr. Kumar Uday Pratap learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
18.08.2025 in connection with Bhore P.S. Case No. 421 of 2025,
F.I.R. dated 17.08.2025 for the offences punishable under
Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. According to prosecution case, one country-made
pistol and one mobile phone was recovered from the possession
of co-accused, Dhiraj Kumar Singh, one live cartridge and one
mobile phone was recovered from the possession of petitioner,
one live cartridge and one mobile phone was recovered from the
possession of the co-accused, Krishna Kumar, one live cartridge
and one mobile phone was recovered from the possession of the



co-accused, Sohil Kumar. One T.V.S Apache motorcycle without registration number and one Hero motorcycle was recovered from the house of Yadunandan Kumar.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. There is non-compliance of Section 100 of Cr.P.C/103 of B.N.S.S. It appears from the FIR that only one live cartridge was recovered from the possession of the petitioner and arms have been recovered from the possession of other co-accused persons. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 18.08.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedent other than the present one but fairly submits that out of four cases, the petitioner is on bail in two cases and rest two cases are pending for consideration before the competent court of law as mentioned in paragraph 3 of the bail petition.

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 S.D.J.M.,
Gopalganj in connection with Bhore P.S. Case No. 421 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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