

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4108 of 2025

Arising Out of PS. Case No.-422 Year-2024 Thana- BANMANKHI District- Purnia

Ganesh Chaudhary Son of Ganga Choudhary R/O- VILL-DEEMA WARD
NO-20, PO-BANMANKHI, PS-BANMANKHI, DISTT.-PURNIA, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Riya Giri, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner seeks bail in connection with
Banmankhi P.S. Case No. 422 of 2024 dated 17.11.2024
registered for the offence punishable under Sections 25(1-
B) (a) and 26 of the Arms Act.

3. The allegation is of recovery of one country
made pistol and two live cartridges from black coloured
handbag of the petitioner.

4. Learned Counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in
this case. It is submitted that nothing has been recovered
from the conscious possession of the petitioner rather the



said seized articles were recovered from a black coloured handbag which does not belong to the petitioner. It is submitted that the seizure list has not been prepared according to the law. It is further submitted that both the witnesses are the police personnel and no recovery is being made and the same is against the provision of Section 100 of the Cr.P.C.. Lastly, it has been submitted that the petitioner is in custody since 18.11.2024, having one criminal case against him and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

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 C.J.M., Purnea in connection with Banmankhi P.S. Case No. 422 of 2024, subject to the following conditions:-

1. 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.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. 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.

4. 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.

(Khatim Reza, J)

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