

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7481 of 2025

Arising Out of PS. Case No.-282 Year-2024 Thana- GARDANIBAG District- Patna

Chhotu Kumar Son of Sidheshwar Singh @ Sudeshwar Singh @ Sudeshvara
Sav Resident of Village- Chitnawan, P.S. - Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Sharan, Adv.

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

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

ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Gardanibagh P.S. Case No. 282 of 2024 instituted for the
offences under Sections 25(1-B)a, 26, 35 of the Arms Act.

3. As per prosecution case, the police has recovered
one country-made pistol from the possession of the petitioner.
It is further alleged that when the recovered country-made
pistol was unloaded, a live cartridge was also recovered from
its magazine.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as



alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no ballistic report on the record justifying that the recovered arms is useful or not. Not a single witness has come forward to support the prosecution case. The petitioner has no concern with the recovered fire-arms. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 05.06.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with



two sureties of the like amount each to the satisfaction of
Court below/concerned Court in connection with Gardanibagh
P.S. Case No. 282 of 2024.

(Rudra Prakash Mishra, J)

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