

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8043 of 2025

Arising Out of PS. Case No.-94 Year-2024 Thana- Banma Itahari District- Saharsa

Suvash Sada @ Suvash Son of Chandeshwari Sada Resident of Village -
Harahari, P.S.- Banma Itahari, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satrudhan Kumar, Advocate

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

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

ORAL ORDER

2 18-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Banma
Itahari P.S. Case No. 94 of 2024 instituted for the offence under
Sections 310(4) & 310(5) of the Bharatiya Nyaya Sanhita, 2023
and Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. Prosecution case in short is that there is recovery of
arms from the possession of the co-accused. There is recovery
of only mobile phone from the possession of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 18-09-2024. Petitioner
bears no criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. It is submitted that petitioner has no concern with the recovered arms and the same was recovered from the possession of co-accused, namely, Niranjan Kumar. No incriminating article has been recovered from the possession of the petitioner. Learned counsel next submits that police after investigation has already submitted charge sheet in this case. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Banma Itahari P.S. Case No. 94 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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