

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13671 of 2025

Arising Out of PS. Case No.-30 Year-2024 Thana- Chiraiya District- Saharsa

Santosh Kumar S/O Hulan Mahto Resident of village - Kabira, P.s- Chiraiya,
District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

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

ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner
and learned APP for the State.

2. The petitioner seeks bail in connection
with Chiraiya P.S. Case No. 30 of 2024 instituted
for the offences under Sections 25(1-B) (a)/26 of
the Arms Act.

3. As per prosecution case, the police has
recovered one illegal country made loaded pistol
and upon unloading, one live cartridge from the
possession of the petitioner. The petitioner was
arrested on the spot.

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 on account of dirty village politics. The petitioner has not committed any offence as alleged in the F.I.R. There is an admitted land dispute between the parties. He further submits that nothing incriminating has been recovered from the conscious/physical possession of the petitioner. The petitioner has three criminal antecedents and, in all of them, he is on bail as has been stated in Para-3 of the present bail petition and is languishing in judicial custody since 29.07.2024 without any rhymes or reason. Charge-sheet has been submitted in this case under Section 25(1-B)a/26 of the Arms Act and the cognizance has also been taken and, hence, there is no chance of absconding or tampering with the evidence in this case.

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 and 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 Chiraiya P.S. Case No. 30 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

