

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9028 of 2025

Arising Out of PS. Case No.-404 Year-2024 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Ram Naresh Sah @ Maulbi, (M), aged about 26 years, Son of Pradip Sah,
Resident of Vill- Bhatauni, Ward No. 8, P.S.- Bakhtiyarpur, District- Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Randhir Kumar No.1, Advocate
For the Opposite Party : Mr. Binod Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 17-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bakhtiyarpur P.S. Case No. 404 of 2024 dated 27.08.2024
registered for the offences punishable under Sections 25(1B)a,
26 and 35 of the Arms Act.

3. As per the prosecution case, on 26.08.2024, two
absconded criminals Udish Yadav and Rajesh Yadav were
arrested by STF on secret information. On query, the co-accused
Udish Yadav has confessed that he has hidden the weapons at
the house of his associate Ram Naresh Sah @ Maulbi
(petitioner). A Sanha was registered in this regard and he
alongwith other police personnel proceeded from the concerned



police station and arrived at Village-Bhatauni and surrounded his house but he was found absconded. It is further alleged that on search in presence of the villagers, two country made Katta alongwith five live cartridges were recovered from the house of Ram Naresh Sah @ Maulvi (petitioner) hidden in trunk.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that on the basis of the statement of the co-accused Udish Kumar Yadav, the aforesaid weapons was recovered from the house of the petitioner but the petitioner had no knowledge that the weapons was kept in his house because he was living outside of Bihar for livelihood. The petitioner has been made accused in the present case on the basis of the disclosure made by the co-accused Udish Kumar Yadav. He has no concern with the alleged offence. The petitioner is neither arrested on the spot nor any illegal arms was recovered from his possession. The other co-accused Udish Yadav @ Udish Kumar Yadav has already been granted bail by a Bench of this Court vide Cr. Misc. No. 4330 of 2025 under order dated 27.02.2025. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 13.09.2024.



5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Saharsa in connection with Bakhtiyarpur P.S. Case No. 404 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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