

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23133 of 2025

Arising Out of PS. Case No.-133 Year-2022 Thana- BARARI District- Katihar

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Suman Kuwar S/O Fago Kuwar Village- Bakharpur (Pirpaiti), P.S.- Pirpaiti,
District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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

ORAL ORDER

4 29-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Barari
(Semapur) P.S. Case No. 133 of 2022 instituted for the offence
under Sections 25(1-b)a, 26 & 35 of the Arms Act.

3. As per prosecution case, it is alleged that that on
19.05.2022, Aman Tiwari and Suman Kuwar (petitioner) were
seen with arms near Pratapganj Kali Asthan. While fleeing, they
dropped two country-made pistols, live cartridges, and mobile
phones, which were seized.

4. It has been submitted on behalf of the petitioner
that the petitioner is remanded in this case on 23-03-2023 from
Barari PS Case No. 403 of 2022. Petitioner bears four criminal



antecedents, 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. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the recovered arms. Petitioner was not arrested on the spot. Recovery is made from an open place, which is accessible to public at large. There is no compliance of Section 103 of the BNSS, 2023. Charge sheet has already been submitted in this case.

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, manner of petitioner's implication 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 Barari (Semapur) P.S. Case No. 133 of 2022, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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