

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10857 of 2025

Arising Out of PS. Case No.-2 Year-2024 Thana- Naya Bhojpur District- Buxar

Virendra Kumar Srivastava S/O Late Ramchandra Lal Resident of village -
Chanda, P.S- Naya Bhojpur, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Singh, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

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

ORAL ORDER

3 11-04-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Naya
Bhojpur P.S. Case No. 02 of 2024 instituted for the offence
under Sections 25(1-B)(a), 25(1-AA), 26 & 35 of the Arms Act.

3. Prosecution case in short is that on 31-08-2024
police raided petitioner's house, where a mini gun factory was
being operated with the help from Munger-based associates.
During search, 16 pistol butts, manufacturing tools, and a
motorcycle were seized.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 02-09-2024. 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. Learned counsel for the petitioner mainly submits that house from where alleged recovery is made is rented to co-accused, Pintu Kumar and petitioner lives in another house situated 50 yards away from the place of recovery. Petitioner has no concern with the recovered arms. There is no compliance of Section 103 of the BNSS, 2023. Charge sheet is submitted in this case. Other co-accused has been granted bail by this Court vide order dated 06-03-2025, passed in Cr. Misc. No. 7972 of 2025.

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 and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after framing of charge, if not already framed*, 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 Naya Bhojpur
P.S. Case No. 02 of 2024, 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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