

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15660 of 2025

Arising Out of PS. Case No.-134 Year-2024 Thana- Mufassil District- Khagaria

Nitish Kumar S/o- Srilal Yadav Resident of Village- Kumarchakki Ward No 3
PS- Muffasil District-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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

ORAL ORDER

2 03-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 134 of 2024 instituted for the offence
under Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. As per prosecution case, there is recovery of one
country made pistol and one live cartridge from the possession
of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 17-10-2024. Petitioner
bears one 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. Petitioner has no concern with the recovered arms. Nothing incriminating has been recovered from the possession of the petitioner. There is no compliance of Section 103 of the BNSS, 2023. Charge sheet is submitted in this case. Other similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 19-02-2025, passed in Cr. Misc. No. 9754 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, claim based on parity 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 Muffasil P.S. Case No. 134 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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