

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22809 of 2025

Arising Out of PS. Case No.-398 Year-2024 Thana- BIRAUL District- Darbhanga

Saurabh Kumar Jha Son of Vijay Kant Jha Village-Paghari Police Station-
Biraal District-Darbhangha

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Adv.

For the State : Mr. Tarkeshwar Nath Thakur, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 29-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 310(4), 310(6), 310(5), 317(5), 61(2) of the BNS and Section 25(1-b)a, 26 and 35 of the Arms Act.

3. A perusal of the FIR would go to show that the police, on a secret information, came to the house of Aman Kumar Jha @ Bambam Jha and several accused persons were arrested and some arms and ammunition were recovered from their possession.

4. Learned counsel for the petitioner submits that it is a fact that the recovery of some firearms has been shown from the possession of the petitioner, but there was no independent



witness on the seizure list and hence, the mandatory provisions of search and seizure were violated. As a matter of fact, the petitioner was invited to attend a birthday party at the house of Bambam Jha where the police falsely implicated him by showing the said recovery. It is next submitted that the other co-accused persons, namely, Aditya Singh and Krishna Choudhary, who were also arrested along with the petitioner from the house of Bambam Jha, have been granted bail vide orders dated 12.05.2025 and 15.05.2025 passed in Cr. Misc. No. 16838 of 2025 and Cr. Misc. No. 29906 of 2025, respectively. It is lastly submitted that the charge sheet has been submitted in the present case and the petitioner has been languishing in custody since 24.10.2024.

5. Learned APP for the State, however, opposes the prayer for regular bail on the ground that petitioner has four criminal antecedents. In response to the same, it is submitted on behalf of the petitioner that he is on bail all four cases.

6. Considering the above-mentioned facts and circumstances and particularly the period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in



connection with Biraul P.S. Case No. 398 of 2024.

7. However, the petitioner is directed to remain physically present in the court on each and every date during trial till the framing of charges and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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