

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17389 of 2025

Arising Out of PS. Case No.-741 Year-2024 Thana- BIDUPUR District- Vaishali

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Raja Kumar S/O Brij Nandan Mahto Resident of Village- Ram Bhadra Chai
Tola, Police Station- Hajipur Town, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar,Adv

For the Opposite Party/s : Mr.Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

3 03-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Bidupur P.S Case No. 741 of 2024 registered for the offences
punishable under Sections 314(5) of BNS and Section 25(1-b)a,
26, 35 of Arms Act.

3. As per allegation in the FIR, one country made
pistol and one live cartridge was recovered from the possession
of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that the alleged country made pistol has been recovered
from the possession of the co-accused namely Ravi Shankar



Mishra and nothing has been recovered from the conscious possession of the petitioner. Moreover, during the course of investigation no substantial evidence has been found against the petitioner. He further submits that petitioner possesses four criminal antecedent in which he is acquitted in two case and he is in bail in two cases. He further submits that petitioner is in custody since 19.11.2024 which is approx seven months till date.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, seizure list, period of custody and impugned order dated 14.02.2025, it appears that the country made pistol has been recovered from the possession of the co-accused Ravi Shankar Mishra and nothing has been recovered from the possession of the petitioner and also considering the submissions made on behalf of the learned counsel for the petitioner, let the above named 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 learned C.J.M. Vaishali in connection with Bidupur P.S. Case No. 741 of 2024 subject to condition that petitioner shall appear physically on each and every date fixed



by the Trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

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