

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21900 of 2025

Arising Out of PS. Case No.-583 Year-2024 Thana- DUMRA District- Sitamarhi

VIJAY KUMAR JHA @ VIJAY JHA S/o- Srikant Jha @ Shrikant Jha
Village- Punaure Ps- Punaure Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 28-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Dumra P.S. Case No. 583 of 2024 registered for the offences punishable under Sections 25(1-B)(a) and 26 of the Arms Act.

3. As per the prosecution story, police got information that an veteran criminal is standing at Berbas More carrying a bag. After registering a sanhaa and giving information to the higher officers, Police constituted a raiding team for verification of the said information. When they reached at Berbas More they saw a boy trying to flee away after seeing the police officials, but he was apprehended on the spot. On interrogation, he disclosed his name as Vijay Kumar Jha. The police searched the



bag following the procedure of seizure and recovered one steel body pistol inscribing made in Japan BO 7.65 No. 7020 and one magazine containing two live cartridges inscribing kf 7.65 mm.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegations levelled against the petitioner is wrong, false and baseless. Though F.I.R. alleges recovery of pistol and two live cartridges from the bag of the petitioner, the allegation is typically manufactured and has no legs to stand upon. It is strange that the police could not find any local/independent witness at the place of alleged seizure, which is busy public place. Thus, there is serious question mark on the propriety of the procedure adopted by the police in the alleged recovery. Learned counsel further submits that chargesheet has been submitted in this case and the petitioner is in custody since 17.12.2024.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail **after framing of charge**, (if not framed) on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned
Chief Judicial Magistrate, Sitamarhi in connection with Dumra
P.S. Case No. 583 of 2024 subject to the following conditions :-

- (i). Petitioner will remain physically present in trial on
each and every date till the disposal of the case failing which, on
two consecutive dates without reasonable cause, the bail bond of
the petitioner may be cancelled by the Trial Court.
- (ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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