

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22314 of 2025

Arising Out of PS. Case No.-382 Year-2024 Thana- PARIHAR District- Sitamarhi

Nitish Thakur S/o Late Bhogendra Thakur Resident of Village- Dharharwa,
P.S.- Parihar, Dist- Sitamarhi

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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

ORAL ORDER

2 29-04-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Parihar
P.S. Case No. 382 of 2024, instituted for the offences punishable
under Sections 25(1-B)(a) and 26 of the Arms Act.

3. The prosecution case, in short, is that, there is
recovery of one country made pistol along with two live
cartridges from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the petitioner has got no concern with the alleged recovery of arms. It is further submitted that the petitioner was a passerby of that way and on the basis of suspicion he was arrested by the police. The petitioner is in custody since 27.12.2024 and has got three criminal antecedents in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Parihar P.S. Case No. 382 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)

Rajorshi/-

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