

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25012 of 2025

Arising Out of PS. Case No.-414 Year-2024 Thana- TURKAULIYA District- East
Champaran

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Shahil Kumar @ Sahil Raj Son of Narendra Prasad Yadav Resident of village
and P.O.- Sobaiya @ Sobaiya, P.S.- Kotwa, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

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

ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Turkauliya P.S. Case No. 414 of 2024 instituted for the offence
under Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. Prosecution case in short is that police on secret
information and on the instance of one Bittu Kumar, raided
poultry farm and on search there is recovery of one loaded
country made pistol and two live cartridges.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 28-09-2024. 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. Nothing has been recovered from the possession of the petitioner. From perusal of the FIR, it would reveal that only on the basis of confessional statement of co-accused, namely, Bittu Kumar, he has been implicated in this case. There is no compliance of Section 103 of the BNSS, 2023. Learned counsel goes on to submit that even the poultry farm is not in the name of the petitioner, from where it is alleged that recovery is made. Learned counsel lastly submits that police after investigation has submitted charge sheet in this case. Co-accused from whom recovery is made has been enlarged on bail by this Court vide order dated 17-02-2025, passed in Cr. Misc. No. 7702 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 Turkauliya
P.S. Case No. 414 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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