

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27234 of 2025

Arising Out of PS. Case No.-406 Year-2024 Thana- UCHKAGAON District- Gopalganj

Shambhu Singh @ Shambhoo Singh Son of Baliram Singh @ Baliram R/O
Vill- Balahata, P.S.- Uchkagaon, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

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

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

ORAL ORDER

3 31-07-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Uchkagaon P.S. Case No. 406 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 revolver and three live cartridges near the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submits that the alleged recovery has been made on the basis of confessional statement of co-accused, namely, Vishal Singh and the petitioner has got no concern either with the co-accused person or with the alleged recovery of arms. It is further submitted that the alleged recovery has been made from an open place and not from the house or conscious possession of the petitioner. The petitioner is in custody since 23.012.2023 and has got sixteen criminal antecedents in which he is on bail in five cases and has been acquitted in ten cases.

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 ***after framing of charge, if not already framed*** 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 Uchkagaon P.S. Case No. 406 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.

(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(IV) The petitioner will not leave the territorial jurisdiction of the Court below without its prior permission for the same.

(Rudra Prakash Mishra, J)

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