

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27110 of 2025

Arising Out of PS. Case No.-1101 Year-2024 Thana- BIHTA District- Patna

Subodh Upadhyay S/o Ravindra Sharan Upadhyay R/o Village- Sadisopur,
P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amitesh Kumar, Advocate

For the Opposite Party/s : Mr.Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bihta P.S. Case No. 1101 of 2024, registered for the offences under Sections 25(1-b)a/26 of the Arms Act.

3. As per the prosecution case, police received a tip of about a person bringing illegal firearm for committing some offences. The said person, the petitioner herein was apprehended and from his possession a country made *katta* and two live cartridges were recovered apart from a mobile phone.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in this case and nothing incriminating has been recovered from persons or possession of the petitioner. There is non-compliance



of Section 103 of the B.N.S.S. The petitioner is in custody since 28.11.2024 and charge sheet has been submitted. The petitioner is having antecedent of three cases and he is on bail in all the three cases.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the period of custody and submission of charge sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- II, Danapur/concerned court, in connection with Bihta P.S. Case No. 1101 of 2024, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three



consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

Anuradha/-

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