

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34136 of 2025

Arising Out of PS. Case No.-794 Year-2024 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

Sumant Kumar Yadav S/o Late Amarjit Yadav R/o Village- Tirbirwa, P.S.-
Gopalganj, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 16-09-2025 Heard Mr. Subhesh Pandey, learned counsel

appearing on behalf of the petitioner and learned A.P.P. for

the State.

2. The accused/petitioner seeks bail in connection
with Gopalganj P.S. Case No. 794 of 2024 registered for the
offences under Sections 25(1-B)a, 26 of the Arms Act.

3. The accused/petitioner is named in the First
Information Report and is in custody since 06.11.2024.

4. As per FIR, allegation against petitioner is to have
in possession of one country made pistol with four live
cartridges.

5. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner was wrongly



apprehended in Gopalganj P.S. Case No. 80/2018, where learned trial court found the detention of petitioner illegal and treated him as a victim awarded Rs. 1 Lakh as compensation, whereafter police by taking revenge and to justify the arrest of petitioner with Gopalganj P.S. Case No. 80/2018, implicated him in four another criminal cases including present one.

6. It is pointed out that recovery of country made pistol and four live cartridges not appears to be made from conscious physical possession of this petitioner, where seizure list appears doubtful as same appears supported by two home-guard personnel.

7. While concluding argument, it is submitted that investigation of this case is already completed, charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

8. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

9. In view of aforesaid factual submission and by taking note of the fact that as recovery of country made pistol



and four live cartridges *prima facie* appears doubtful from conscious physical possession of this petitioner, coupled with the fact that petitioner remains in custody since 06.11.2024, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Gopalganj/concerned court, in connection with Gopalganj P.S. Case No. 794 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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