

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34678 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- MAHISHI District- Saharsa

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Nandan Kumar S/o Ramesh Prasad Sah @ Ramesh Prasad @ Ramesh Sah
R/o Vill.- Saharwa, Ward No.- 5, P.S.- Mahishi, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Mahishi P.S. Case No. 68 of 2025, lodged on 04.03.2025, under
Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. As per the prosecution, the police reached on the
secret information that some accused persons assembled in a
room of Shankar Fertilizer Seed Store to commit some crime,
the police party conducted a raid and caught the four accused
persons on spot and upon search one pistol and three live
cartridges were recovered from the possession of the co-
accused, namely, Shankar Kumar Sah.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. It is further
submitted that three other accused persons were also
apprehended in this case. Counsel further submits that the



petitioner has been in custody since 04.03.2025 and has clean criminal antecedents. It is further submitted that no case is made out against the petitioner, as nothing has been recovered from his possession. Counsel also submits that the co-accused persons have already been granted bail by a co-ordinate Bench of this Hon'ble Court vide orders dated 19.05.2025 and 21.05.2025, passed in Cr. Misc. Nos. 32154 of 2025 and 33718 of 2025, respectively.

5. Learned APP for the State opposes the prayer for bail but fairly submits that nothing has been recovered from the possession of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate at Saharsa, in connection with Mahishi P.S. Case No. 68 of 2025, subject to the following conditions as laid down under Section 480(3) of the BNSS.

(Dr. Anshuman, J.)

Aman Kumar/-

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