

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46457 of 2025

Arising Out of PS. Case No.-460 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

Budhan Singh Son of Late Ram Saran Singh R/O Vill- Ramdiri, Mahaji Tola,
P.S.- Matihani, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.

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

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

ORAL ORDER

2 08-07-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Town
P.S. Case No. 460 of 2024 instituted for the offences under
Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per prosecution case, the police has recovered
one country-made pistol, 15 live cartridges, 02 magazine, one
Samsung mobile etc. from the motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
only on the basis of suspicion. He further submits that no arms
and ammunition have been recovered from the conscious



possession of the petitioner. The petitioner has no concern with the seized motorcycle or the mobile phone. The petitioner has no concern with the other accused persons. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has five criminal antecedents and is languishing in judicial custody since 24.01.2025 without any rhymes or reason. Learned counsel for the petitioner again submits that the co-accused namely Jay Jay Ram Singh has already been granted bail by this Court vide order dated 03.04.2025 passed in Cr. Misc. No. 89346 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that huge quantity of arms and ammunition has been recovered from the possession of the petitioner and other co-accused persons.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner as also the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, 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 Town P.S. Case No. 460 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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