

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36240 of 2025

Arising Out of PS. Case No.-837 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Pranav Kumar S/O Subodh Kumar Chaudhary @ Subodh Kuamr Choudhary
@ Subodh Chaudhary R/O Vill.- Ismailpur, Ward no. 2, P.s.- Hajipur Sadar,
Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

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

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

ORAL ORDER

2 16-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Hajipur Sadar P.S. Case No. 837 of 2024 instituted for the offences under Section 317(5) of the Bhartiya Nyaya Sanhita and Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per prosecution case, the police has apprehended the petitioner from the place of occurrence and, on search, a loaded country-made pistol was recovered from his left waist and, on unloading it, a live bullet was also recovered.

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.



He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized pistol and has been made accused in this case without any cogent evidence or material. 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 05.11.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

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 the offence alleged is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail 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 Hajipur Sadar P.S. Case No. 837 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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