

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37534 of 2025

Arising Out of PS. Case No.-470 Year-2023 Thana- BARUN District- Aurangabad

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ARMAN HASAMI SON OF NASIM HASAMI @ NASIM MIYA Resident
of Village -Bank Police Station -Akorhigola District -Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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

ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner is permitted to
make necessary correction in paragraph no. 4 of the bail
application during course of day.

3. The petitioner seeks bail in connection with Barun
P.S. Case No. 470 of 2023, instituted for the offences punishable
under Sections 25(1-B)(a) and 26 of the Arms Act.

4. The prosecution case, in short, is that, there is
recovery of one country made pistol and one live cartridge from
bushes near the road.

5. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. It is further submitted that the alleged recovery of arms have not been made from the possession of the petitioner. No T.I. parade has been conducted in this case. The petitioner is in custody since 18.07.2024 and has got eleven criminal antecedents in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of Court below/concerned Court in connection with Barun P.S. Case No. 470 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Rajorshi/-

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