

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40219 of 2025

Arising Out of PS. Case No.-56 Year-2025 Thana- LADANIA District- Madhubani

1. Mahesh Singh @ Mahesh Kumar Singh S/o Bihari Singh Resident of village- Aurhi, PS- Babubarhi, Dist- Madhubani
2. Umesh Mukhiya S/o Sube Mukhiya Resident of village- Kavilasa PS- Ladaniya Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 03-09-2025 Learned counsel for the petitioners seeks permission to make necessary correction in the cause title with regard to address of the petitioner.

2. Permission is accorded. Let the same be done today itself.

3. Heard learned counsel for the petitioners and learned A.P.P for the State.

4. The petitioners seek bail in connection with Ladaniya P.S. Case No. 56 of 2025 instituted for the offence punishable under Sections 25 (1-b)(a) and 35 of the Arms Act.

5. The allegation against the petitioners is that one country made pistol was recovered from the possession of



Mahesh Singh (petitioner No. 1) and one country made pistol from possession of Umesh Mukhiya (petitioner no. 2).

6. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It has been submitted that nothing has been recovered from the possession of the petitioners. Petitioners have been made accused only on the basis of criminal antecedent of petitioner no. 1. Petitioners are in custody since 23.02.2025. Petitioner no. 1 has antecedent of five criminal cases while petitioner no. 2 has clean antecedent.

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

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Madhubani in connection with Ladaniya P.S. Case No. 56 of 2025 subject to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on their absence on two consecutive dates without sufficient



reason, their bail bond shall be cancelled by the Court below.

2. One of the bailors will be their own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that they will inform the court concerned if the petitioners are made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioners within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this order and shall appear every fortnightly to mark his attendance till the framing of charge in this case.

(Khatim Reza, J)

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