

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42426 of 2025

Arising Out of PS. Case No.-348 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Nandan Kumar S/O Dinesh Prasad Mahto @ Dinesh Prasad Resident of
village- Gangauli, Police Station- Bibhutipur, Dist.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

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

ORAL ORDER

2 15-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bibhutipur P.S. Case No. 348 of 2024 instituted for the offences
under Sections 310(4), 310(5), 3(5) of the BNS and 25(1-b)a,
26, 35 of the Arms Act.

3. Prosecution case, in short, is that, police, on the
basis of information that some miscreants have assembled for
committing crime, raided the place and apprehended seven
persons including this petitioner. It is further alleged that on
search, one pistol and one live cartridge was recovered from this
petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious



possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.10.2024 and has no criminal antecedent. The co-accused person has already been granted bail by this Court vide order dated 21.05.2025 passed in Cr. Misc. No. 31325 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Bibhutipur P.S. Case No. 348 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

