

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39273 of 2025

Arising Out of PS. Case No.-211 Year-2025 Thana- GARKHA District- Saran

Bishnu Nut @ Vishnu Nut S/o Ram Aashish Nut @ Ramashish Nat, Resident
of Village- Olhanpur Nut Toli, P.S.- Marhaura, District- Saran, Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioner seeks bail in connection with Garkha P.S. Case No. 211 of 2025, registered for the offences punishable under Section 310(4) and 310(5) of the BNS and under Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, Police received information about assembly of miscreants who were planning to commit dacoity and they were variously armed. A raid was conducted and seven persons including this petitioner were apprehended. From the possession of this petitioner recovery of a motorcycle was made. However, from the search of other co-accused persons recovery of fire-arms, ammunitions, cash,



ornaments, mobile phones and other articles were made.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Nothing incriminating has been recovered from person or possession of this petitioner. The motorcycle that is said to be recovered from the possession of petitioner is registered in the name of cousin of the petitioner and is not a stolen article. Except for suspicion, there is nothing against the petitioner. Learned counsel next submits that petitioner is having antecedent of one case in which he is on bail and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 25.03.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery of any incriminating article has been shown from the petitioner and further considering the nature of allegation, submission of chargesheet and petitioner's period of custody, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Saran, Chapra /
concerned Court, in connection with **Garkha P.S. Case No. 211
of 2025**, subject to the condition laid down under Section 480(3)
of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the
petitioner.
- (ii) The petitioner will remain present on each and
every date fixed by the court below, if so required by the learned
trial Court.
- (iii) In case of non-appearance of the petitioner on
single date or in violation of the terms of the bail, the bail bond
of the petitioner will be liable to be cancelled by the Court
concerned.

(Arun Kumar Jha, J)

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