

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43454 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- SAHEBPUR KAMAL District- Begusarai

ABHISHEK KUMAR S/O Anjani Kumar @ Nandlal Mahto @ Anjani Kumar
Nandlal R/O Vill.- Sanha Naya Tola, P.s.- Sahebpur Kamal, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 20-11-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Sahebpur P.S. Case No. 94 of 2025 registered for the offences
punishable under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per prosecution case, one country made pistol
and two live cartridges were recovered from the possession of
the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has committed no offence as
alleged in the FIR. He further submits that provision of relevant
Section of BNSS has not been followed as no photography or
videography has been conducted by the informant which creates
serious doubt regarding the sanctity of the version of



prosecution. No incriminating article has been recovered from the conscious possession of the petitioner. He has nothing to do with the alleged recovery. Petitioner is in custody since 09.04.2025 and he bears criminal antecedent of six cases in which he is on bail. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner by submitting that there is allegation of recovery of one country made pistol and two live cartridges from the possession of the petitioner. Hence, petitioner does not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Begusarai in connection with Sahebpur Kamal P.S. Case No. 94 of 2025, subject to



following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on each and every date without fail, failing which the prosecution will be at liberty to move for cancellation of bail.

(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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

alok/-

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

