

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44357 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- BACHHWARA District- Begusarai

Sumit Kumar S/O Late Dino Paswan @ Dinesh Paswan Village- Gehni, Ward
No 1 P.S.- Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Adv

For the Opposite Party/s : Mr.Lalan Kumar, App

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Bachhwara P.S Case No. 37 of 2025 registered for the offences
punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per prosecution, FIR has been lodged against
three accused person including the present petitioner against
whom there is a recovery of two country made pistol and one
live cartridge has been recovered from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner's name has been figured merely on the
basis of suspicion and ill motive of the informant. He further
submits that no incriminating article has been recovered from
the physical or conscious possession of the petitioner. He further



submits that there is no independent seizure list witness and the two witnesses which has been mentioned are police personnel. It is also submitted that petitioner is in judicial custody since 07.02.2025 having one antecedent of Bihar Prohibition and Excise Act in which he is on bail.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order dated 03.05.2025, it appears that one live cartridge has been recovered from the possession of the petitioner and the alleged two country made pistol each has been recovered from the other two accused persons and considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named 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 learned C.J.M. Begusarai in connection with Bachhwara P.S. Case No. 37 of 2025.

(Ramesh Chand Malviya, J)

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