

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42610 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- SAUR BAZAR District- Saharsa

Deepak Kumar @ Deepak Swarnkar, S/O Late Kishor Swarnkar @ Late
Kishor Sah, R/O Vill.- Sour Bazar Ward no. 04, P.S.- Sour Bazar, Dist.-
Saharsa. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.
For the State : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-07-2025 1. Heard Mr. Chandra Mohan Jha, learned counsel
for the petitioner and Mr. Md. Fahimuddin, learned APP for the
State.

2. The petitioner seeks regular bail in connection with
Saur Bazar P. S. Case No. 06 of 2025, dated 08.01.2025
registered for the offences punishable under Sections 25(1B) (a)
and 26 of the Arms Act.

3. The main submissions advanced by the petitioner's
counsel are that the petitioner is a young person who has been
languishing in jail since 09.01.2025, as per the allegation, he
was found with country made pistol without having any
document to legalize his possession on the alleged seized
weapon however he is not alleged to have used the seized
firearm in connection with any crime. It is further submitted
that the petitioner has already suffered sufficiently by



remaining in custody since 09.01.2025 and he is on bail in all the cases of his criminal antecedents. It is lastly submitted that against the petitioner, the investigation has been completed.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Heard both the sides and perused the FIR and the trial court's order. Though, the petitioner has remained accused in four cases in addition to the present matter, however considering his young age, custody period and mainly the completion of investigation against him, this court is inclined to release him on bail. Accordingly, let the petitioner named-above, be enlarged on bail in connection with Saur Bazar P. S. Case No. 06 of 2025 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, **with the following conditions:**

- (1) Petitioner shall be released after framing of charges, if the charges have not been framed upon him till date.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial court and shall remain physically present as directed by the trial court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- (3) 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.

(4) One of the bailors shall be a close relative of the
petitioner who has sworn affidavit in this miscellaneous
petition.

(Shailendra Singh, J)

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