

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41680 of 2025

Arising Out of PS. Case No.-40 Year-2024 Thana- Karnamepur District- Bhojpur

Hari Singh @ Bagha Singh S/o Suresh Singh R/o Village-Ishwarpura, P.S.-
Karnamepur, District-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bibhakar Tiwary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Karnamepur P.S. Case No. 40 of 2024 registered for the alleged offences under Sections 109(1)/3(5) of BNS and Section 25(9) of the Arms Act.

3. As per prosecution case, photographs of 5-6 persons were posted on social media platform who were brandishing firearm. One such person was this petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case in a peculiar case based on photographs stated to be going viral on social media. The informant has not mentioned about social media account from which the photograph was made viral or the device through which the said photograph was made



viral. The informant even has not mentioned who posted the photographs. Without verifying the genuineness of the photographs, the petitioner has been apprehended. There is no material that anybody identified the petitioner from the photograph. It is strange that the petitioner is prosecuted for offence under Section 109(1)/3(5) of B.N.S. and Section 25(9) of the Arms Act on the basis of photographs uploaded on social media and on the basis of which the present case has been lodged. The petitioner is in custody since 07.02.2025 and charge sheet has been submitted. The petitioner is having antecedent of five cases.

5. Learned APP 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 completely frivolous nature of allegation against the petitioner, the petitioner above named is directed to 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 A.C.J.M. Ist, Bhojpur at Ara/concerned Court in connection with Karnamepur P.S. Case No. 40 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the



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.
- (iii) In case of absence on three consecutive dates 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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