

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43620 of 2025

Arising Out of PS. Case No.-583 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

Ravi Noniya @ Rabi Nonia S/o Late Harihar Nonia Resident of Village -
Mahuari, P.S. - Sonhan, District - Kaimur (Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil, Adv.

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 10-09-2025 Heard Mr. Kumar Sunil, learned counsel for the
petitioner and Mr. Rajendra Nath Jha, learned APP for the State.

2. Petitioner seeks regular bail in connection with
Bhabhua (Sonhan) P.S. Case No. 583/ 2024 dated 24.07.2024
registered for the offence(s) punishable under Sections 25(1-B)
(a), 26 and 35 of the Arms Act.

3. The main submissions advanced by the petitioner's
counsel are that the FIR goes to show that on the alleged date
and time of the occurrence two groups consisting of petitioner,
his brothers and others were indulged in assaulting each other
on account of their previous dispute and as per the allegation, in
that assault, Lathis, Garasas and firearms were used and for that
occurrence, a separate FIR being Bhabhua P.S. Case No. 584 of
2024 was registered against this petitioner and others in which



the petitioner has already been granted bail and the second part of the occurrence for which FIR of the present matter was registered, relates to the recovery of single barrel gun from the courtyard of the petitioner's house and one used cartridge from a lane situated in front of the petitioner's house and from these two recoveries, detailed in the FIR, it is clearly evident that the same were not made from the conscious possession of the petitioner and in the courtyard from which the alleged gun was recovered, it was easy to plant the same by anyone and used cartridge was recovered from a lane in front of the petitioner's house and further, in the seizure memo relating to the recovery of the said firearms, there is no signature of any independent person and only police personnel have been shown as witnesses of the search and seizure. It is further submitted that petitioner has been languishing in jail since 21.05.2025 and the alleged offences of the FIR are triable by the court of 1st class Magistrate and further material witnesses of the prosecution are police personnel, so, release of the petitioner on bail will not affect the prosecution in any manner.

4. The learned APP appearing for the State has opposed the bail prayer of the petitioner and submits that against this petitioner, there is serious allegation and he has got criminal



antecedents of four cases.

5. Considering the facts and circumstances of this case and mainly taking into account the facts that the instant matter relates to the recovery of firearms and as per petitioner's plea, the alleged firearms are not alleged to have been recovered from the conscious possession of the petitioner rather the same is said to have been recovered from the courtyard of the petitioner's house and the FIR goes to show that on the alleged date and time of the occurrence, two groups consisting of the petitioner and his family members indulged in fighting with each other and the second recovery relates to one used cartridge, which was made from a lane in front of the petitioner's house and also taking note of the fact that material witnesses of the prosecution, who are to be examined in the petitioner's trial, are police personnel, coupled with the completion of investigation against him, this court is inclined to release the petitioner on bail. Accordingly, let the petitioner named-above be released on bail in connection with Bhabhua (Sonhan) P.S. Case No. 583/2024 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.

6. As the investigation has been completed, so, in



view of this position, if the trial court is going to proceed with the trial of the petitioner then he will be released after framing of charge and if the charge is not framed against him in the next one month in that case, he will be released as per the above direction.

(Shailendra Singh, J)

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