

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44913 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- DARIGAON District- Rohtas

Lav Kush Kuamr S/o Late Sanjit Mahto, Resident of Village-
Sappulahganj, PS- Sasaram (T), District- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Dariagaon P.S. Case No. 41 of 2025, dated 06.04.2025 registered for the offencess punishable under Sections 25(1-b)a, 26, 35 and 27 of the Arms Act.

3. As per the prosecution case, on 06.04.2025 at about 09:30 PM, while returning from a procession at Qadirganj, the informant heard sound of firing. When he reached there with villagers he saw in the light of torch of mobile that the petitioner and one Raja Kumar were talking about killing while



carrying weapons in their hands. With the help of villagers both the petitioner and Raja Kumar were caught and from the possession of the petitioner a country made pistol and two live cartridges were recovered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case by the informant. In fact, the petitioner is on inimical terms with the informant and the informant along with others caught the petitioner and handed him over to the police with illegal arms which does not belong to the petitioner. The petitioner has no concern with the alleged recovery of fire-arms. The alleged recovery was not made by the police, rather it was stated by the informant that the said fire-arms were recovered from the petitioner. As the recovery is not made by the police, no case under Sections 25(1-b)a of the Arms Act is made out. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 07.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as petitioner's period of



custody, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with **Dariagaon P.S. Case No. 41 of 2025.**

7. The application stands allowed.

(Chandra Prakash Singh, J)

Shahnawaz/-

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