

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43778 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- MURLIGANJ District- Madhepura

Ramesh Kumar S/o Yadunandan Yadav R/o Vill- Murho Tola, Ward No. 14,
P.S.- Murliganj, Distt- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-07-2025 Heard Mr. Uday Chand Prasad learned counsel for the
petitioner and Ms. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with
Murliganj P.S. Case No. 59 of 2025 instituted for the offence
under Sections 317(4) & 317(5) of the Bharatiya Nyaya Sanhita,
2023 and Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. Prosecution case in a nutshell is that there is
recovery of one country made pistol and one mobile phone from
the possession of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 17-02-2025. Petitioner
bears eight (8) criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner has no concern with the recovered arms. It is submitted that there is no compliance of Section 103 of the BNSS, 2023. Learned counsel for the petitioner submits that petitioner has become the victim of the circumstances as he was merely crossing the road and has been falsely roped in this case. Police after completion of investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Murliganj P.S. Case No. 59 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the



family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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