

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45952 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- BELHAR District- Banka

=====

Bibhishan Kumar @ Bivishan S/o Nandan Yadav Resident of Village-
Nautolia, PS- Belhar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

=====

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

ORAL ORDER

2 24-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Belhar
P.S. Case No. 23 of 2025 instituted for the offences under
Sections 25(1-b)a, 26, 29, 35 of the Arms Act.

3. As per the F.I.R., police, on the basis of information
that a mini gun factory is being operated in the house, raided the
house of one Nandan Yadav and recovered three country-made
pistol, 24 live and misfired cartridges, some semi-finished
country-made katta, iron pipes, iron sheets, cutter, drilling
machine etc.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No



incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that the name of the petitioner is being dragged in this case merely because he is the son of main accused Nandan Yadav from whose house the alleged recovery has been made. Learned counsel further contended that petitioner does not reside in the house of his father and, as a matter of fact, he works as a driver outside the village. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.02.2025 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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

6. Considering the aforesaid facts and circumstances of the case, there being no specific allegation against the petitioner rather the specific allegation of running the mini gun factory being against the father of the petitioner, namely, Nandan Yadav as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Belhar P.S. Case No. 23 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

