

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44339 of 2025

Arising Out of PS. Case No.-187 Year-2025 Thana- MADHAURAH District- Saran

Dhanjeev Kumar S/O Manager Mahto Resident of village- Repura, Police
station- Marhowrah, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate

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

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

ORAL ORDER

4 23-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Marhowrah P.S. Case No. 187 of 2025 instituted for the offence
under Sections 25(1-b)a & 26 of the Arms Act.

3. Prosecution case in short is that there is recovery of
one country made pistol and one live cartridge from the house
of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 26-03-2025. Petitioner
bears seven 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. It is submitted that petitioner has no concern with the recovered arms. Learned counsel next submits that police after investigation has already submitted charge sheet in this case. There is no compliance of Section 103 of the BNSS, 2023. Learned counsel for the petitioner goes on to submit that the petitioner was falsely implicated in multiple cases, including the present one, after his surrender based on a coerced statement. It is submitted that the alleged recovery was made solely on the basis of third-degree torture.

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 manner of petitioner's implication, 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 Marhowrah P.S. Case No. 187 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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