

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46442 of 2025

Arising Out of PS. Case No.-108 Year-2025 Thana- HARSIDHI District- East Champaran

Birendra Kumar S/O Chandeshwar Ram Resident of village- Manikpur, PS-
Harsidhi, district- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

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

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

ORAL ORDER

2 29-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Harsidhi P.S. Case No. 108 of 2025, instituted for the offences
punishable under Sections 25(1-B)(a), 26 and 35 of the Arms
Act.

3. The prosecution case, in short, is that there is
recovery of one country made pistol and two live cartridges
from the possession of the co-accused person.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the petitioner has got no concern with the alleged recovery of arms. The arms have been recovered from the house of co-accused, namely, Niraj Kumar. The petitioner is in custody since 24.02.2025 and has got three criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Harsidhi P.S. Case No. 108 of 2025.

(Rudra Prakash Mishra, J)

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