

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49566 of 2025

Arising Out of PS. Case No.-191 Year-2025 Thana- GORAUL District- Vaishali

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1. Md. Shahjad S/o Md. Naseem R/o Village- Goraul, P.S.- Goraul, District- Vaishali, Bihar
 2. Md. Salman S/o Late Md. Wakil @ Md. Wakil Miya R/o Village- Goraul, P.S.- Goraul, District- Vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jain, Advocate

For the Opposite Party/s : Mrs. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 13-10-2025 Heard learned counsel for the petitioners, learned APP for the State and perused the case diary.

2. The petitioners seek bail in connection with Goraul P.S. Case No. 191 of 2025, instituted for the offences punishable under Sections 317(5) of the Bharatiya Nyaya Sanhita, 2023, read with 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 one live cartridge from the possession of the petitioners.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that the petitioners have got no concern with the alleged recovery of arms. The petitioners are in custody since 12.04.2025 and have got no criminal antecedent. 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 petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Goraul P.S. Case No. 191 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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