

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48130 of 2025

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

Vishal Kumar S/o Shiv Narayan Ram R/o Village- Manikpur, P.S.- Harsidhi,
District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
: Mr. Sumit Kumar Gupta, Advocate
: Ms. Isha Mishra, Advocate
For the Opposite Party/s : Mr. Rina Sinha, APP

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

ORAL ORDER

3 26-09-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

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 house of the co-accused person Niraj Kumar.

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 submitted 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 23.02.2025 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 stating that the alleged recovery has been made from the house of co-accused Niraj Kumar at the instance of 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. 15,000/- (Rupees Fifteen 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)

Alok Verma/-

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