

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50324 of 2025

Arising Out of PS. Case No.-310 Year-2025 Thana- DIGHA District- Patna

1. Santosh Kumar Singh, S/o Brij Bihari Singh, Resident of Village- Umedpur,
P.S.- Brahmpur, Dist.- Buxar
2. Raj Kumar Singh, S/o Radha Krishna Singh, Resident of Village- Karari,
P.S.- Dhobhan, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-08-2025 1. Heard Mr. Vivekanand Singh, learned counsel for
the petitioners and Mr. Arun Kumar Singh, learned APP for the
State.

2. The petitioners seek regular bail in connection with
Digha P.S. Case No. 310 of 2025 dated 06.05.2025 registered
for the offence(s) punishable under Section(s) 249 of the B.N.S.
and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The main submissions advanced by the learned
counsel for the petitioners are that both the petitioners are
retired army personnel, having clean past history, never
remained involved in any criminal activity, when they were



apprehended along with co-accused persons from a vehicle, they were bonafide discharging their duty as security guards of the co-accused, Jai Kant Rai, having no knowledge of his criminal antecedents and the alleged rifles which are said to have been recovered from the possession of both the petitioners are their licensed weapons issued from the State of Jammu & Kashmir, therefore, no offence under Arms Act is made out against them, however, they have suffered a lot as they have been languishing in jail since 07.05.2025.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the aforesaid submissions advanced by the petitioners' counsel and mainly the facts that both the petitioners are said to be retired army personnel and have taken the plea that at the time of their arrest they were with the co-accused, Jai Kant Rai, who has carrying several criminal antecedents as his security guards without having knowledge of his antecedents and also coupled with the petitioners' fair and clean antecedent, this court is inclined to release them on bail. Accordingly, let the petitioners named-above be enlarged on bail in connection with Digha P.S. Case No. 310 of 2025 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand)



each with two sureties of the like amount each to the satisfaction
of the Court concerned.

(Shailendra Singh, J)

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