

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51816 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- PACHMAHLA District- Patna

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Laxman Kumar S/o Indradeo Singh R/o Bind toli, Pokrail P.S. -
Maheshkhunt, Dist.- Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 16-10-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Pachmahla P.S. Case No. 25 of 2025, registered for the offences under Sections 25(1-B)(a), 26, 35 of the Arms Act.

3. As per the prosecution case, police received secret information about trade of illegal weapons. The police reached the identified spot and two persons started running away on seeing the police vehicle and hid themselves in a wheat field. One of the persons was apprehended and he is the present petitioner. On search of the petitioner recovery of two country made pistol, two live cartridges and three misfired cartridges was made. The petitioner also disclosed the name of Bhavesh



Kumar who escaped from the spot.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no witness of search and seizure and there is no compliance of 103 of B.N.S.S. The petitioner has went to one of his relatives and when the police party came the actual accused persons fled away leaving behind their arms and ammunition and this petitioner was caught and made an accused in this case. The petitioner has no criminal antecedent and is in custody since 09.03.2025. The charge-sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the clean antecedent of the petitioner, period of custody and submission of charge-sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st class, Barh, Patna in connection with Pachmahla P.S. Case



No. 25 of 2025, subject to the condition laid down under
Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close
relative of the petitioner.

(ii) The petitioner will remain present on
each and every date fixed by the court
below, if so required by the learned trial
court.

(iii) In case of absence on three
consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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