

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52053 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- BACHHHWARA District- Begusarai

Murari Jha S/O Vinodanand JHA R/o vill - Harpur Alauth, P.S.- Musrigharari,
Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Bachhwara P.S. Case No. 41 of 2025, registered for the offence under Sections 310(4),310(5)/338/336(3)/340(2)/317(2)/317(3)/317(5) of the B.N.S. and Sections 25(1-b)a/26/35 of the Arms Act.

3. The allegation in the F.I.R. is that two per persons, namely, Murari Jha (petitioner) and Dhiraj Kumar were arrested and firearms were recovered from their possession and during interrogation it was revealed that some other co-accused persons were planning a *dacoity* whereupon a raid was conducted and from other place some firearms along with other articles were recovered.

4. Learned counsel for the petitioner submits that it would be apparent from the F.I.R. that the police had arrested the petitioner

while being on patrolling duty and had recovered one country made pistol from his possession. It is submitted that as a matter of fact several other incriminating materials were recovered from the lounge where other accused persons were present. So far as the the petitioner is concerned there is recovery of one country-made pistol without any cartridge and there is no independent witness on the seizure list. Further, no substantial and concrete evidence has appeared during the course of the investigation to connect the petitioner with any preparation for committing *dacoity* rather it is submitted that it would be at best, a case under the Arms Act. It is next submitted that the petitioner is in custody since 10.02.2025 and the charge-sheet has already been submitted and the similarly situated co-accused Dhiraj Kumar from whose possession two cartridges were recovered, has been granted bail by order dated 27.06.2025 passed in Cr. Misc. No. 24775 of 2025.

5. Learned A.P.P. appearing for the State opposed the prayer for regular bail of the petitioner on the ground that the petitioner has three criminal antecedents. However, it has been submitted in response that the petitioner is on bail in all the three cases.

6. Considering the aforesaid facts and circumstances and also considering that the petitioner is in custody since 10.02.2025 and the charge-sheet has been submitted and similarly situated co-accused person has been granted privilege of bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.

10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Bachhwara P.S. Case No. 41 2025, subject to the following conditions: -

- i) One of the bailors would be a family member of the petitioner.
- (ii) The petitioner would remain physically present in the learned Court below on each and every date during trial till the framing of the charges in the case and would further cooperate in the trial.

Jyoti Kumari/-

(Soni Shrivastava, J.)

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