

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55822 of 2025

Arising Out of PS. Case No.-264 Year-2025 Thana- BEUR District- Patna

Shubham Kumar @ Subham Kumar S/o Bhola Kumar Gupta R/o Village-
Bazar Samiti, Ragopur, Bihta, PS- Bihta, Distt - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Patel, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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

ORAL ORDER

3 22-09-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Beur
P.S. Case No. 264 of 2025, instituted for the offences punishable
under Sections 111(2), 61(2) of the Bharatiya Nyaya Sanhita,
2023, read with Sections 25(1-B)(a), 26, 35 of the Arms Act,
Sections 8 and 20(b)(ii)(A) of the NDPS Act.

3. The prosecution case, in short, is that on
25.05.2025, during police raid at the rented house of Sagar
Kumar (Sai Niwas), seven men and two women were
apprehended with 10 country-made pistols, 19 magazines, arms
parts, Rs. 51,550/- cash and 800 gm ganja. On interrogation,
they disclosed running an illegal arms and ganja trade.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has 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 petitioner. Learned counsel for the petitioner also submits that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused Sagar Kumar and the same has got no evidentiary value. It is next submitted that the petitioner has got no concern with the alleged recovery of arms and ganja. The alleged contraband is below the small quantity, and hence, Section 37 of the NDPS Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the NDPS Act as also of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioner is in custody since 27.05.2025 and has got one criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 16.09.2025 passed in Cr. Misc. No. 65682 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to 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 Beur P.S. Case No. 264 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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