

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55352 of 2025

Arising Out of PS. Case No.-150 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Roushan Kumar Son of Suresh Kumar Mahto R/o Village- Gangauli, P.S.-
Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Hussamuddin Azad, Advocate
For the State	:	Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-08-2025 Heard the parties.

2. The petitioner is in custody in connection with Bibhutipur P.S. Case No. 150 of 2025 for the offence punishable under sections 25(1-b)(a), 26 and 35 of the Arms Act, lodged on 20.04.2025 by the informant, Ravikant Kumar.

3. As per the prosecution story, the Police upon watching social media video about a person flashing pistol, having ascertained the identity, raided the place and allegation is that from the hut of the petitioner, there is recovery of two pistols and cartridges.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession rather from a outside hut, accessible to everyone, only because he has a case under Excise Act, implicated and is in custody since



21.04.2025 and it is undertaken that he shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail submitting that the recovery is from the hut on the disclosure of the petitioner.

6. Taking into account the submission of the parties as also the fact that nothing has been recovered from his conscious possession rather from a hut, is in custody since 21.04.2025, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Rosera, Samastipur, in connection with Bibhutipur P.S. Case No. 150 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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