

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 56210 of 2025

Arising Out of PS. Case No.-348 Year-2025 Thana- MOHANIYA District- Kaimur (Bhabua)

Virendra Musahar, S/O Chauthi Musahar, R/O Vill.- Thiloi, P.S.- Karamchat,
Dist.- Kaimur (Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-08-2025 Heard Mr. Pawan Kumar Singh, learned counsel for
the petitioner and Mr. Ajit Kumar, learned APP for the State.

2. Petitioner seeks regular bail in connection with Mohania P.S. Case No. 348 of 2025 dated 28.04.2025 registered for the offences punishable under sections 25(1-B)(a) and 26 of the Arms Act.

3. The main submissions advanced by petitioner's counsel are that as per the allegation, one country-made *katta* and a live cartridge are said to have been recovered from the waist and left pocket of petitioner's pant respectively but the said allegation is completely false and manufactured by the police to implicate him in the recovery of the alleged firearms, though against the petitioner there are criminal antecedent of two cases but none of them relate to the offence under the Arms



Act, however, he has been granted bail in both the said cases. It is lastly submitted that the petitioner has been languishing in jail since 28.04.2025 and against him the investigation has been completed and the material witnesses, who are to be examined in the trial of the petitioner, are police personnel, so, the release of the petitioner will not affect the prosecution in any manner.

4. Learned APP for the State has opposed the prayer of the petitioner.

5. Heard both the sides and perused the FIR and the trial court's order. The instant matter relates of the recovery of firearms, however, considering the petitioner's custody period which has been about 3½ months and also taking into account the completion of investigation against him and also the fact that the material witnesses are police personnel, hence, the release of the petitioner will not affect the prosecution in any manner. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with Mohania P.S. Case No. 348 of 2025, **on the condition:-**

(i) As the investigation has been completed against the petitioner, if the trial court is going to proceed with the trial of



the petitioner, he shall be released after the framing of charges upon him, however, if the charges are not framed for any legal reason within the next one month, the petitioner shall be released as per the above order.

(Shailendra Singh, J)

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