

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58616 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- Baijnathpur District- Saharsa

Sanjay Kumar Paswan @ Sanjay Paswan, Male, aged about 27 years, Son of Bimal Paswan, Resident of Village- Itahara, Rampur, P.S.- Baijnathpur, District- Saharsa, Bihar- 852202.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mayuri, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Baijnathpur P.S. Case No. 49 of 2025 instituted for the offences punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, one live cartridge and one OPPO touch screen Mobile Phone was recovered from the accused persons including the present petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to dirty village politics. He submits that this case has been lodged only to harass the petitioner. He further submits that no any arms has been recovered from the conscious possession of the petitioner but



only one OPPO touch screen mobile has been recovered from the possession of the petitioner. He next submits that there is no any independent witness of the occurrence so the seized and seizure is doubtful. Petitioner is in custody since 01.05.2025.

5. Learned APP for the State opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-Ist, Saharsa dated 19.07.2025, it appears that on the basis of self statement of the S.H.O. Baijnathpur Police Station, Saharsa, Ms. Amar Jyoti, FIR has been registered under Sections 25(1-B)a, 26 and 35 of the Arms Act against two co-accused persons including the present petitioner. Only one OPPO touch screen mobile has been recovered from the possession of the petitioner. A country made pistol has been recovered from other co-accused persons and not the petitioner. Petitioner has got one criminal antecedent as stated in para 3 of the petition and is in custody since 01.05.2025, so considering all these aspects of the matter, I am inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned
Additional District Judge-1, Saharsa in connection with
Baijnathpur P.S. Case No. 49 of 2025.

(Ramesh Chand Malviya, J)

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