

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58707 of 2025

Arising Out of PS. Case No.-302 Year-2025 Thana- BHAGWANPUR HAT District- Siwan

1. Golu Kumar @ Raj Kumar S/o Shankar Mahto R/o village - Rampur , P.s- Bhagwanpur , Dist- Siwan
2. Sachin Kuamar S/o Surendra Prasad @ Surendra Chauhan R/o village - Rampur , P.s- Bhagwanpur , Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rananjay Kumar, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 01-09-2025 Heard Mr. Rananjay Kumar, learned counsel for the petitioners and Ms. Renu Kumari, learned APP for the State.

2. The petitioners seek bail in connection with Bhagwanpur Hat P.S. Case No. 302 of 2025 instituted for the offence under Sections 310(4), 310(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25(1-b)a, 26 & 35 of the Arms Act.

3. On a tip off regarding assembly of anti-social elements, police apprehended five accused person, including the petitioners. There is recovery of one live cartridge each from the possession of the petitioners, whereas two loaded country made pistols were recovered from other co-accused person.

4. It has been submitted on behalf of the petitioners



that the petitioners are in custody since 02-07-2025. Petitioners bear no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Nothing has been recovered from the conscious possession of the petitioners. There is no recovery of country made pistol from the possession of the petitioners. Petitioners have no concern with the recovered cartridge and learned counsel for the petitioners goes on to submit that the same is planted. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioners and period of custody of the petitioners, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhagwanpur Hat P.S.



Case No. 302 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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