

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57585 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- SAHAR District- Bhojpur

Bhola Rai @ Bhola Ray Son of Amod Rai @ Amod Ray Village- Chhotki
Kharw (Fatehpur Mathiya), P.S.- Sahar, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Roy, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 17-10-2025 Heard Mr. Ravi Shankar Roy, learned counsel for the

petitioner and Mr. Sanjay Kumar Tiwary, learned APP for the

State.

2. The petitioner seeks bail in connection with
Sahar P.S. Case No.27 of 2025 in a case registered for the
offence punishable under Sections 317(5) of the Bharatiya
Nyaya Sanhita, 2023 and Sections 25(1-B)(a), 26 of the Arms
Act.

3. The allegation in the first information report is
that while checking of vehicles in respect to investigation in
Sahar P.S. Case No.166 of 2024, the petitioner was
apprehended along with one pistol with live cartridge and
motorcycle without bearing registration number and no valid
documents were produced in support of the same.



4. It is submitted by learned counsel for the petitioner that as a matter of fact, no recovery has been made from the conscious possession of the petitioner and the mandatory provisions of search and seizure have not been followed and there is no independent witness on the seizure list. It has been further submitted that the petitioner has already been granted bail in Sahar P.S. Case No.166 of 2024 with respect to which it has been alleged that the present recovery was made. It has also been submitted that the petitioner is in custody since 12.02.2025.

5. Learned APP for the State opposed the grant of bail on the ground that the petitioner has three other criminal antecedents. However, it is submitted that the petitioner is on bail in all the three cases.

6. Taking into consideration the facts and circumstances of the case and considering that there is no independent witness on the seizure list, coupled with the fact that the petitioner has remained in custody for more than eight months, let the above named petitioner, a young boy of 21 years, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. With,



Bhojpur at Ara/concerned Court below in connection with
Sahar P.S. Case No. 27 of 2025 subject to further condition
that:-

- (i) One of the bailors would be close family member or relative.
- (ii) Till the framing of charge, the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

anand/-

U		T	
---	--	---	--

