

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64280 of 2025

Arising Out of PS. Case No.-90 Year-2025 Thana- MAKER District- Saran

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Fakre Alam @ Raja Son of Nazir Alam Resident of Village- Fulwariya PS-
Maker District -Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Maker
P.S. Case No. 90 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. As per prosecution case, police raided *Jagdishpur*
village on secret information and apprehended four criminals
who were planning to commit dacoity, while one escaped. From
Fakre Alam (petitioner), a country-made pistol, one live
cartridge, and a mobile phone were recovered, while knives and
mobiles were seized from the others.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 28-04-2025. Petitioner bears four criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the recovered arms. Learned counsel for the petitioner goes on to submit that the recovery is planted by the police party and petitioner has become the victim of the circumstances. 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 petitioner.

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

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Maker P.S. Case No. 90 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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