

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59286 of 2025

Arising Out of PS. Case No.-75 Year-2025 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Durgesh Kumar S/o Sunil Chaudhari R/o Village - Ward No 03, Bhadaeya,
P.S - Mohiuddin Nagar, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar Singh, Adv.
For the Opposite Party/s : Mr.Asha Devi, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioner seeks bail in connection with Mohuddin Nagar P.S. Case No. 75 of 2025, registered for the offences under Sections 310(4), 310(5), 310(6), 317(3), 317(5) of the BNS and Sections 25(b-1)a, 26, 35 of the Arms Act.

3. As per the prosecution case, secret information was received about assembly of 10-12 criminals in the cowshed of the petitioner. A raid was conducted. A number of persons fled away from the spot but five persons including this petitioner were apprehended. From possession of this petitioner, 12 live cartridges, a blank cheque book of Central Bank of India,



Aadhaar card, driving license in the name of one Ramesh Kumar Sahni and 16 fake currency note of hundred rupees denomination were recovered. Further recovery of different articles were made from other co-accused persons.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no allegation of recovery of any firearm against the petitioner and recovery is only stated to be of cartridges. The petitioner is a student of B.Sc. and has been suffering from mental illness. Learned counsel further submits that the petitioner is having antecedent of four cases. The petitioner is in custody since 27.04.2025 and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that the petitioner was caught red handed and from his possession fake currency notes and live cartridges were recovered.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the submission of charge sheet and period of custody of the petitioner, the petitioner is directed to be released on bail, on



furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Shahpur Patory, Samastipur/concerned court, in connection with Mohuddin Nagar P.S. Case No. 75 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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