

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59664 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- Mufassil District- Khagaria

Prem Sharma S/o- Late Basant Sharma Village- Mathar, Ward no.6, P.S. Muffasil, Distt. Khagaria Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-12-2025 Heard the parties.

2. The petitioner seeks bail in connection with Muffasil P.S. Case No. 40 of 2025 registered for the offences under Sections 25(1-b)a, 25(1)(a), 26(1)(2) and 35 of the Arms Act.

3. The petitioner is named in the F.I.R. and is in custody since 12.03.2025.

4. The allegation against the petitioner is to involve in illegal manufacturing of firearms, whereupon raid partly made country-made pistol and several equipments were recovered from the house of this petitioner.

5. Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of partly made country-made pistol not appears to be recovered from the conscious physical possession of this petitioner, as house in issue is occupied by different adult family members. It is submitted that petitioner being parents of main co-accused implicated falsely, who is a person of 74 years old. It is pointed out that compliance of Section 103(4) of the BNSS



also not appears followed regarding search of premises. It is also pointed out that seizure list appears doubtful being supported by police personnel rather by independent witnesses. While concluding the argument it is submitted that, petitioner found involved in one more case, where he is on bail and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP, opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of fact as recovery of partly made firearms prima-facie not appears to be recovered from the conscious physical possession of this petitioner, coupled with the fact as petitioner remains in custody since 12.03.2025, accordingly above named petitioner, is directed to be released on bail in connection with Muffasil P.S. Case No. 40 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Khagaria/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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