

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60162 of 2025

Arising Out of PS. Case No.-342 Year-2024 Thana- CHIRAIYA District- East Champaran

Surendra thakur Son of Kolai Thakur R/o Village - Akauna, P.S. - Chiraiya,
Dist. - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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

ORAL ORDER

2 03-09-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Chiraiya P.S. Case No. 342 of 2024, instituted for the offences punishable under Sections 25(1-A), 25(1-AA), 25(1-B)(a) and 26 of the Arms Act.

3. The prosecution case, in short, is that there is recovery of one country made pistol and some items which are used for making country made pistol from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has got no concern with the alleged recovery of arms. The petitioner is a blacksmith and has professional rivalry with other blacksmiths and for that reason the petitioner has been falsely implicated in this case. The petitioner is in custody since 04.10.2024 and has got three criminal antecedents in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chiraiya P.S. Case No. 342 of 2024, 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)

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