

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60145 of 2025**

Arising Out of PS. Case No.-302 Year-2025 Thana- BHAGWANPUR HAT District- Siwan

Dhiraj Yadav @ Dhiraj Kumar @ Hanuman S/o Rangila Yadav R/o vill and
Post - Mahamda, P.s.-Bhagwanpur Hat, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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

ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Bhagwanpur Hat P.S. Case No. 302 of 2025, instituted for the
offences punishable under Sections 310(4), 310(5) of the
Bharatiya Nyaya Sanhita, 2023 read with Sections 25(1-B)(a),
26 and 35 of the Arms Act.

3. The prosecution case, in short, is that on a tip off
regarding assembly of anti-social elements, police apprehended
five accused persons, including the petitioners. There is
recovery of one loaded country made pistol from the possession
of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present 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 in custody since 01.07.2025 and has got two criminal antecedents in which he is on bail in one case. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted regular bail by this Court vide order dated 01.09.2025 passed in Cr. Misc. No. 58707 of 2025.

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 Bhagwanpur Hat P.S. Case No. 302 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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