

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60603 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- PATAHI District- East Champaran

Nawlesh Kumar S/o Madan Mahto Resident of village -Narayanpur, P.S.-
Patahi, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

02. In the present case, the petitioner seeks bail in connection with Patahi P.S. Case No. 99 of 2025 registered for the alleged offences under Sections 25(1-AA), 26, 35 of the Arms Act.

03. As per prosecution case, on the basis of secret information that three miscreants on a Splendor motorcycle had been carrying firearms and intended to commit some offence, checking of vehicles was started. The suspicious motorcycle was identified and three persons riding on the motorcycle tried to flee away on seeing the police party. Two of them were apprehended, who disclosed the name of the petitioner as the person who fled away from the spot. From one of the



apprehended persons, recovery of a loaded country made pistol with one live cartridge was made and from another co-accused, recovery one live cartridge apart from a mobile phone was made. The said motorcycle was also seized.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case on the basis of confession of the co-accused persons. Nothing incriminating has been recovered from the person or possession of this petitioner. The petitioner has no concern with the seized firearms or ammunition or the motorcycle or the mobile in question. The petitioner was not apprehended from the spot and he has been made the victim of false implication. The petitioner is having clean antecedent. The petitioner is in custody since 21.06.2025.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the completely vague nature of allegation and also considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds



of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Motihari, East Champaran/concerned court in connection with Patahi P.S. Case No. 99 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the 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.
- (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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