

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61296 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- BHELDI District- Saran

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Suman Thakur @ Suman Sharma S/o- Bichari Thakur Village- Murli Sirsiya
Ps- Bheldi Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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**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 Bheldi
P.S. Case No. 19 of 2025 instituted for the offences under
Sections 25(1-A), 25(1-AA), 25(1-B)(a), 26, 35 of the Arms
Act.

3. As per prosecution case, the police has recovered
large quantity of weapons and weapons-making material from
the hut of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to ulterior motive of the informant. He further submits that



nothing incriminating has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that one Anish Ray was arrested by the police in connection with Chapra Muffasil P.S. Case No. 336 of 2024 and he confessed before the police that he had purchased the arms from the petitioner and, on the basis of the aforesaid statement of Anish Ray, the police raided a hut which is not dwelling house of the petitioner and recovered some instruments used in making arms. He further submits that the confessional statement of Anish Ray recorded before the police has no evidentiary value in the eye of law. The petitioner has no concern with the seized articles. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has three criminal antecedents and is languishing in judicial custody since 23.01.2025 without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, *after*



framing of charge if not already framed, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bheldi P.S. Case No. 19 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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