

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65291 of 2025

Arising Out of PS. Case No.-264 Year-2025 Thana- BEUR District- Patna

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1. Abhishek Kumar @ Bhokli S/o Sanjiv Poddar R/o Mohall- Maksespur Chhoti Maszid, P.S.- Kasim Bazar, Distt- Munger
 2. Sunny Kumar S/o Ashok Singh @ Ashok Saw R/o Mohall- Maksespur Chhoti Maszid, P.S.- Kasim Bazar, Distt- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Saurabh, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Beur P.S. Case No. 264 of 2025 instituted for the offences under Sections 111(2), 61(2) of the Bharatiya Nyaya Sanhita, 2023, Section 25(1-b)a, 26, 35 of the Arms Act and Section 8/20(b)(ii) (A) of the N.D.P.S. Act.

3. Prosecution case, in short is that, on 25.05.2025, during police raid at the rented house of Sagar Kumar (Sai Niwas), seven men and two women were apprehended with 10 country-made pistols, 19 magazines, arms parts, ₹51,550 cash, and 800g ganja. On interrogation, they disclosed running an



illegal arms and ganja trade.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Charge-sheet has been submitted in this case. Petitioners are in custody since 27.05.2025. Petitioner no. 1 has two criminal antecedents whereas petitioner no. 2 has three criminal antecedents. Learned counsel further submitted that from perusal of the FIR, it appears that name of the petitioners came in the FIR on the basis of disclosure made by one Sagar Kumar who disclosed that the petitioners carry out the illegal arms and *ganja* trade. There is no allegation of tampering of witnesses alleged against the petitioners. No incriminating material has been recovered from the conscious possession of the petitioners. The recovery of narcotic substance has been made from the house of Sagar Kumar and the same is below the small quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. Learned counsel further submitted that except disclosure made by co-accused, there is no material against the petitioners. There is no compliance of Section 42 and 50 of the N.D.P.S. Act as also of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned A.P.P. for the State has vehemently



opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Beur P.S. Case No. 264 of 2025.

(Rudra Prakash Mishra, J)

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