

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70523 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- SAHPUR District- Patna

Shanny Kumar @ Chhote Sarkar @ Satya Raj @ Sanny Kumar, aged about 26 years, Male, Son of Tarkeshwar Ojha, Resident of Ganghara, P.S.- Shahpur, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samrendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Shahpur P.S. Case No. 40 of 2025 instituted for the offences punishable under Sections 25(1-B) (a) and 26 of the Arms Act.

3. As per allegation in the FIR, a country made pistol along with live cartridges have been recovered from the conscious possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that there is no any recovery is made from the petitioner as alleged in the FIR and merely on the basis of video petitioner has been implicated



in this case. He further submits that there is no any independent witness, who has supported the alleged recovery and due to criminal antecedent, petitioner has been made accused in this case. Petitioner is in custody since 02.02.2025.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-VIII, Danapur, Patna dated 22.07.2025, it appears that on the basis of written report of the informant namely Sonu Kumar Yadav, Sub-Inspector of Police, Sahpur Patna, FIR has been registered under Sections 25(1-B) (a) and 26 of the Arms Act against the present petitioner. It also appears that a country made pistol along with live cartridges have been recovered from the possession of the petitioner. Charge sheet has already been submitted in this case as stated by learned counsel for the petitioner and the petitioner is in custody since 02.02.2025 more than eight months, so considering all these aspects of the case and submissions of learned counsel for the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned



S.D.J.M., Danapur, Patna in connection with Shahpur P.S. Case
No. 40 of 2025.

(Ramesh Chand Malviya, J)

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