

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70531 of 2025

Arising Out of PS. Case No.-140 Year-2025 Thana- RAGHOPUR District- Vaishali

Suresh Kumar S/O Mr. Radhe Sao R/O Village- Chiksaura Bajar, P.S-
Chiksaura, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate

Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 17-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 25(1-A), 25(1-AA), 25(1-B)
(a), 26(1), 26(2), 35 of the Arms Act.

3. The allegation in the First Information Report is
that a bag containing live cartridge and other articles like blades,
spring, drills etc. was found in bushes and upon chase one
person was arrested while others managed to escape. The
arrested person disclosed his name as Suresh Kumar (Petitioner)
who accepted his guilt before the Police.

4. Learned counsel for the petitioner submits that the
petitioner has been taken into custody only upon suspicion and
as a matter of fact no recovery has been made from his
conscious possession as the recovery of the bag has been made



from the bushes. It has further been submitted that there is no independent witness to the seizure list. Further, the petitioner is in custody since 31.05.2025 and the charge-sheet has been submitted against the petitioner who has no criminal antecedent.

5. Learned APP for the State opposes the grant of bail on the ground of allegation made in the First Information Report and also the material collected during course of investigation.

6. Taking into consideration the facts and circumstances of the case and also the fact that there is no recovery from the personal or conscious possession of the petitioner and the mandatory provision of search and seizure have not been complied with, coupled with the fact that the petitioner has no criminal antecedent and charge-sheet has already been submitted, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending /successor Court in connection with Raghapur (Rustampur O.P.) P.S. Case No. 140 of 2025.

(Soni Shrivastava, J)

Ranjeet/-

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