

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69811 of 2025

Arising Out of PS. Case No.-561 Year-2025 Thana- BIHTA District- Patna

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1. Mahesh Roy @ Mahesh Son of Late Deo Pujan Roy R/V Village-Ghoratap, P.S-Bitha, Dist-patna Bihar
 2. Ranjit Kumar Son of Mahesh Roy @ Mahesh R/V Village-Ghoratap, P.S-Bitha, Dist-patna Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Swarna Roy, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 08-10-2025 Heard Ms. Swarna Roy, learned counsel for the
petitioners and Mrs. Renu Kumari, learned APP for the State.

2. The petitioners seek bail in connection with Bihta P.S. Case No. 561 of 2025, instituted for the offences punishable under Section 111 of the Bharatiya Nyaya Sanhita, 2023, read with Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that there is recovery of total 55 cartridges, 1 Scooty and 2 mobile phones from the possession of co-accused persons.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case. No incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that the petitioners were not arrested on spot. Names of these petitioners have transpired in this case on the basis of confessional statement made by co-accused, namely, Sonu Kumar and the same has got no evidentiary value. It is further submitted that no any arms have been recovered from the possession of these petitioners. The petitioners have got no concern with the alleged recovery of arms. The petitioners are in custody since 15.07.2025 and have got one criminal antecedent in which they are on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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 and taking into account 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. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Bihta P.S. Case No.
561 of 2025.

Rajorshi/-

(Rudra Prakash Mishra, J)

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