

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70247 of 2025

Arising Out of PS. Case No.-91 Year-2025 Thana- NAUGACHIA District- Bhagalpur

Raja singh @ Tejaswi Kumar S/O Sanjay Kumar Resident of Village-
Nayatola Korchakka, Ward No.07, P.S.- Naugachhiya, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-10-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Naugachia P.S. Case No. 91/2025 registered for the offences under 25 (1-B), 26, 35 of the Arms Act.

3. The police on tip of assemblage of some miscreants raided the place of occurrence and apprehended two persons, namely, Mithilesh Kumar and Karthik Kumar. On search, one country made pistol and one *Desi Katta* along with some magazines were recovered. The apprehended persons disclosed that the owner of the petrol pump have kept them as a security guard and the arms and ammunition belonged to him.

4. Learned Advocate for the petitioner submitted that



from the narratives made in the F.I.R., prima facie, it appears that the petrol pump in question was under construction; the persons who were claiming themselves as security guards had in fact, never been employed by the petitioner. The petitioner has no concern with the persons, who were apprehended by the police nor with the alleged recovered country made pistol and *Desi Katta*. The accusation against the petitioner is based upon the disclosure made by the apprehended person before the police which has no evidentiary value in the eyes of law, is the contention of the learned Advocate for the petitioner. The petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the proceedings of the Court. It is lastly contended that even if the allegation is taken to be true, no offence(s) much less as alleged in the F.I.R. is made out against the petitioner.

5. On the other hand, the learned Advocate for the State vehemently opposed the bail application and submits that the recovery of the country made pistol and *Desi Katta* from the premises of the petitioner clearly shows his complicity in the crime.



6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the fact that the entire case is based upon the disclosure made by the apprehended persons and there is no other material collected during the course of investigation suggesting the complicity of the petitioner and his connection with recovered pistols besides the fair antecedent, let the petitioner, above, named, be released on bail on his arrest or surrender before the court below within a period of four weeks from today on his furnishing bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -1st, Naugachia/the concerned court below, in connection with Naugachia P.S. Case No. 91/2025 of 2025, subject to the condition laid down under Section 482 (2) of the BNS.

(Harish Kumar, J)

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