

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71107 of 2025

Arising Out of PS. Case No.-264 Year-2025 Thana- MADHAURAH District- Saran

Vikky Kumar @ Vikky Kumar Sharma S/o Vijay Kumar @ Vijay Sharma R/o
Village- Hasanpur, P.S.- Marhowrah, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Marhowrah P.S. Case No. 264 of 2025, instituted for the offences punishable under Sections 310(4), 310(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 25(1-B)(a), 26(2) and 35 of the Arms Act.

3. The prosecution case, in short, is that there is recovery of one loaded country made pistol and one live cartridge from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has got no concern with the alleged recovery of arms. It is further submitted that the petitioner was a passerby of that way and was arrested on the basis of suspicion. The petitioner is in custody since 24.04.2025 and has got two criminal antecedents in which he is on bail in one case. 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 petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Marhowrah P.S. Case No. 264 of 2025.

(Rudra Prakash Mishra, J)

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