

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73406 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- Shahpur P.S. District- Nawada

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Satyam Shekhar Jha S/O Sri Chandra Shekhar Jha @ Madhusudan Jha
Resident of Village- Chondi, P.S- Barh, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Manglam, Adv.

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

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

ORAL ORDER

2 01-11-2025 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. 35 of 2025 instituted for the offences under Sections 310(4), 310(5) and 111(3) of the Bhartiya Nyaya Sanhita, 2023 and Section 25(1-b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, the police, on receipt of secret information, reached at the place of occurrence. On seeing the police party, some people tried to flee away from the car but, were apprehended including the petitioner. On search, the police recovered one mobile having two SIMs from the possession of the petitioner. From search of Hyundai car bearing Regd. No. BR01HX-1277, the police recovered the following



arms and ammunition;

(i) 315 rifle loaded with magazine containing five live cartridges.

(ii) 315 rifle loaded with magazine containing five live cartridges.

(iii) One threenut gun loaded with one live cartridge.

(iv) One threenut gun having one live cartridge.

(v) One double barrel gun containing two live cartridges.

(vi) 21 live cartridges of 315 and 6 live cartridges of 12 bore, total 27 live cartridges and one empty magazine of pistol kept in yellow bag were also recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no eye-witness to the alleged occurrence. He further submits that except suspicion, there is nothing adverse against the petitioner. The petitioner has no concern with the seized arms and ammunition. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has six criminal antecedents and is languishing in judicial custody since 12.04.2025 without any rhymes or reason.



5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Shahpur P.S. Case No. 35 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioners.

(ii) The petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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