

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72908 of 2025

Arising Out of PS. Case No.-264 Year-2025 Thana- BEUR District- Patna

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Sagar Kumar S/o- Late Suresh Singh Resident of Village- Dharampur PS-
Athmalgola, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Poonam Kumari, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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

ORAL ORDER

3 01-12-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Beur P.S.
Case No. 264 of 2025 instituted for the offences under Sections
111(2), 61(2) of the Bharatiya Nyaya Sanhita, 2023, Section
25(1-b)a, 26, 35 of the Arms Act and Section 8/20(b)(ii)(A) of
the N.D.P.S. Act.

3. Prosecution case, in short is that, on 25.05.2025, during
police raid at the rented house of petitioner, seven men and two
women were apprehended with 10 country-made pistols, 19
magazines, arms parts, Rs. 51,550/- cash, and 800 gm ganja. On
interrogation, they disclosed running an illegal arms and ganja
trade.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Petitioner is in custody since 27.05.2025, having two criminal antecedents. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. The recovery of narcotic substance has been made allegedly from the house of petitioner and the same is below the small quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Section 42 and 50 of the N.D.P.S. Act as also of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Other co-accused has been granted bail by this Court vide order dated 15-09-2025, passed in Cr. Misc. No. 65291 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is fervently submitted that huge quantity of arms and ammunitions along with cash and ganja have been recovered from the rented house of the petitioner and petitioner along with other co-accused are allegedly involved in the illegal business of arms and ammunitions, hence, petitioner does not deserve the privilege of



regular bail.

6. Considering the aforesaid facts and circumstances of the case, there being recovery of huge quantity of arms and ammunicions from the rented house of the petitioner, this Court, at this stage, is not inclined to grant bail to the petitioner. Prayer for grant of bail is hereby *rejected*.

7. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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