

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78090 of 2025

Arising Out of PS. Case No.-193 Year-2025 Thana- SANDESH District- Bhojpur

Pawan Kumar @ Samrat, aged about 21 Years, Male, Son of Munna Yadav,
Resident of Village-Anaith, P.S.- Ara Nawada, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sandesh P.S. Case No. 193 of 2025 instituted for the offences punishable under Sections 25(1-b)a, 25(9), 26 and 35 of the Arms Act.

3. As per the prosecution case, the allegation against the petitioner is that he along with co-accused Anurag Singh purchased an illegal country made pistol which was used by the co-accused Anurag Singh in the celebration of a birthday party and concealed in the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that in absence of the petitioner, co-accused Anurag Singh has concealed the



said country made pistol in the house of the petitioner and the police recovered the said country made pistol with loaded two cartridges. He further submits that the petitioner has not commit any offence as alleged in the FIR and nothing has been recovered from the conscious possession of the petitioner. He next submits that petitioner is a labour in a grocery shop. He lastly submits that similarly situated co-accused person has been granted bail by a Bench of this Court. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 19.08.2025.

5. Learned APP for the State opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned 2nd Additional Sessions Judge, Bhojpur at Ara dated 08.10.2025, it appears that petitioner is named in the FIR. From perusal of the records, it appears that on the basis of written report of the informant namely Santosh Kumar, Police Sub-Inspector, FIR has been registered under Sections 25(1-b)a, 25(9), 26 and 35 of the Arms Act against the present petitioner and the allegation is that he along with co-accused Anurag Singh purchased an illegal country made pistol which was used by the co-accused Anurag Singh in the celebration of a birthday



party and concealed in the house of the petitioner. Similarly situated co-accused Anurag Singh @ Lucky, who has in celebrating the firing in a birthday party has been granted bail by a Bench of this Court in Cr. Misc. No. 76494 of 2025 vide order dated 19.11.2025, so considering all these aspects of the case and submissions of learned counsel for the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Sandesh P.S. Case No. 193 of 2025.

(Ramesh Chand Malviya, J)

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