

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78734 of 2025

Arising Out of PS. Case No.-561 Year-2025 Thana- BIHTA District- Patna

Sonu Kumar S/O Mahesh Roy R/O Village- Choratap, P.S-Bitha, District- Patna, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swarna Roy, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 14-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Bihta P.S.
Case No. 561 of 2025, instituted for the offences punishable
under Section 111 of the Bharatiya Nyaya Sanhita, 2023, read
with Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that there is recovery
of total 5 cartridges and one mobile phone 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 have been recovered
from the conscious possession of the petitioner. It is further



submitted that no any arms have been recovered from the conscious possession of these petitioner. The petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 15.07.2025 and have got two criminal antecedents in which they are on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Other co-accused has been granted bail by this Court vide order dated 08-10-2025, passed in Cr. Misc. No. 69811 of 2025.

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 as also claim based on parity, 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 Bihta P.S. Case No. 561 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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