

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80937 of 2025

Arising Out of PS. Case No.-252 Year-2023 Thana- MAHISHI District- Saharsa

Shankar Yadav son of Late Ramadhar Yadav Resident Of Village- Gamroho
ward no 4, Ps- Mahishi District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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

ORAL ORDER

2 15-12-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Mahishi P.S. Case No. 252 of 2023 instituted for the offence under Section 414 of the Indian Penal Code and Sections 25(1-B)a, 26 & 35 of the Arms Act. Earlier anticipatory bail of the petitioner was twice rejected by this Court vide orders dated 09.05.2024 & 20.09.2024, passed in Cr. Misc. No. 84274 of 2023 & 52597 of 2024, respectively. Thereafter, vide order dated 28.02.2025 in Diary No. 59882 of 2025, anticipatory bail of the petitioner was dismissed as withdrawn from the Hon'ble Apex Court.

3. Prosecution case in short is that there is recovery of



one loaded country made pistol from the house of the petitioner.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.08.2025. Petitioner bears no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that petitioner has no concern with the recovered arms. It is further submitted that if recovery is taken on its face value, the same is made from the joint house of the petitioner, where other family members also reside. Learned counsel next submits that police after investigation has already submitted charge sheet in this case. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties



of the like amount each to the satisfaction of Court
below/concerned Court in connection with Mahishi P.S. Case
No. 252 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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