

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83328 of 2025

Arising Out of PS. Case No.-187 Year-2025 Thana- BUXAR INDUSTRIAL District- Buxar

Durgesh Upadhyay S/O Shiv Bihari Upadhyay R/O Majhariya, P.S- Buxar
(Industrial), Distt.- Buxar, Bihar- 802116.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamleshwar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Buxar Industrial P.S. Case No. 187/2025 registered for the offences punishable under Sections 310(4), 310(5) of B.N.S. and Sections 25(1-a), 26 and 35 of the Arms Act.

3. As per the prosecution case, police raided the house of Dinesh Yadav from where Dinesh Yadav and his brother were caught and they had called one Sunil Poddar and Rajesh Kumar from Munger to manufacture arms. There was recovery of one mobile phone from the petitioner.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. Learned counsel further submits that petitioner has clean antecedent and is



accused in only one case and he is a graduate and has done his B.Sc. in Chemistry. Petitioner is in custody since 03.08.2025. The petitioner undertakes to co-operate in the case/ trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, this application for regular bail is allowed.

7. Accordingly, 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 Sessions Judge, Buxar/concerned Court below in connection with Buxar Industrial P.S. Case No. 187/2025 subject to the following conditions:-

1. At the time of accepting the bail bonds of the petitioner, the Court below shall verify the statement of the petitioner that he has clean antecedent. The bail bonds of the petitioner shall only be accepted if it is found that he has clean antecedent.

2. The petitioner after being released on bail, is directed to mark his attendance at Buxar (Industrial) Police Station, District- Buxar on any one Sunday of every month. Any default in appearance at the Police Station will result in cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

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