

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84663 of 2025

Arising Out of PS. Case No.-115 Year-2025 Thana- TANDWA District- Aurangabad

Mithun Kumar S/O Upendra Singh R/O Village- Duari, P.S- Tandwa, Distt.-
Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari, Advocate

For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

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

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 25 (1-B) (a) and 26 of the Arms Act.

3. The case of the prosecution is that it is alleged that from the possession of this petitioner, one country made pistol along with one live cartridge was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that nothing has been recovered from the conscious possession of this petitioner as the police while making the seizure failed to comply with the mandatory provisions of Section 105 of the BNSS and the seizure list witnesses are only police personnel.



Moreover, the petitioner is languishing in judicial custody since 31.08.2025 having no criminal antecedent.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Tandwa P.S. Case No. 115 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Aurangabad.

(Ashok Kumar Pandey, J)

Jagdish/-

U		T	
---	--	---	--

