

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1895 of 2025

Arising Out of PS. Case No.-447 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Mithun Kumar @ Mithun Ray, son of Byas Ray, R/o village - Bintoliya, ward
no. 13, P.S.- Chhapra Muffasil, District - Saran at chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rananjay Kumar, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Muffasil P.S. Case No.447 of 2024 registered for the
offences punishable under Sections 25(1-B)a, 26 and 35 of
the Arms Act.

3. The accused/petitioner is named in the FIR and
is in custody since 05.09.2024.

4. Allegation against the petitioner is to have in
possession of one country-made pistol with two live cartridges
along with other named accused persons.

5. It is submitted by learned counsel that petitioner
was not apprehended on spot and his name appears out of the



disclosure of apprehended co-accused, namely, Pankaj Kumar. It is submitted that upon said disclosure, the petitioner was remanded in present case from Chapra Muffasil Case No.518 of 2024. It is submitted that the petitioner found involved in five criminal cases, where in four criminal cases his name transpired either on the basis of disclosure or on the basis of confessional statement of co-accused as of present case, having otherwise no evidentiary value under law. It is submitted that admittedly no firearm alleged to be recovered from physical possession of this petitioner. While concluding argument, it is submitted that investigation of this case is already completed and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as firearm *prima facie* not appears to be recovered from physical possession of this petitioner, coupled with the fact that the investigation of this case is already completed, where petitioner is in custody since 05.09.2024,



accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chhapra in connection with Mufasil P.S. Case No.447 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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