

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1378 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- Patarghat District- Saharsa

Hemant Kumar Sajan S/O Late Kumod Kumar Jha @ Papan Jha R/O Village-
Golma, Ward No. 06, P.S- Patarghat, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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

ORAL ORDER

2 22-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Patarghat P.S. Case No. 165 of 2024 instituted for the offence
under Sections 25(1-B)a & 26 of the Arms Act.

3. Prosecution case in short is that there is recovery of
one loaded country made pistol from the possession of the
petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 24-08-2024. Petitioner
bears four 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. Learned counsel goes on to submit that recovery is planted by the police party. 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. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Patarghat P.S. Case No. 165 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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