

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2412 of 2025

Arising Out of PS. Case No.-113 Year-2024 Thana- BALTHAR District- West Champaran

Chandan Kumar S/O Hirdayanand Thakur @ Hirdanan Thakur Resident of
Village- Madhuri, P.S- Purshottampur, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujeet Kumar, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Balthar PS Case No. 113 of 2024, dated 04-11-2024, instituted for the offence punishable under Sections 25,26,35,25(1-B)(a) of the Arms Act.

3. Prosecution case in short that informant detained one co-accused, Niraj Kumar on the basis of an uploaded photograph of a person with country made *Katta* on WhatsApp. On interrogation, said Niraj Kumar disclosed the name of the petitioner who sold the country made *Katta* to co-accused, Dhanilal Kumar. The further allegation is that few days ago said co-accused Dhanilal Kumar brought the said *Katta* in orchard near Naukhaniya river, where co-accused Niraj Kumar took a



photograph with the said country made *Katta* and uploaded the photograph on the facebook.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that co-accused Niraj Kumar disclosed that alleged country made *Katta* was sold by the petitioner to Dhanilal Kumar at the cost of Rs. 7,000/- On the basis of disclosure made by co-accused Niraj Kumar, house of co-accused Dhanilal Kumar was raided and one country made *Katta* was recovered from the house of Dhanilal Kumar. The petitioner has been made accused only on the basis of disclosure made by co-accused Niraj Kumar. Nothing has been recovered from the house of the petitioner rather the said country made *Katta* was recovered from the house of Dhanilal Kumar. Lastly, it has been submitted that the petitioner is in custody since 04-11-2024 having no criminal antecedents.

5. Learned APP for the State has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount



to the satisfaction of the learned CJM Bettiah, District-West
Champan, in connection with Balthar PS Case No. 113 of
2024.

7. The application stands allowed.

(Khatim Reza, J)

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