

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3615 of 2026

Arising Out of PS. Case No.-349 Year-2025 Thana- PHULWARISHARIF District- Patna

Krishna Rai @ Hare Krishna Yadav Son of Dashrath Yadav R/o Village -
Bhushaula Danapur, Near Chowk Pokhar, P.S. - Phulwarisharif, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo

For the Opposite Party/s : Mrs. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Phulwarisharif P.S. Case No. 349 of 2025 registered for the offences punishable under Sections 25(1-B)a and 26 of the Arms Act.

3. As per the prosecution story, the informant has alleged that on 03.03.2025 at about 13:50 hours, during the course of patrolling, he received a secret information that one person was illegally selling illegal arms from his house. The police reached at the place and apprehended a person who disclosed his name as Krishna Rai (petitioner). From the possession of the petitioner, two pistols and one country-made pistol were recovered. On being asked to produce valid licence



or documents of the seized firearms, he failed to do so and gave no satisfactory explanation. All the recovered firearms were duly seized on the spot by preparing a seizure list in the presence of witnesses, who voluntarily signed the same.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The alleged seized firearms were not recovered from the conscious possession of the petitioner. The petitioner has no concern with the articles recovered in the present case. Learned counsel also submits that no proper procedure of search and seizure has been followed by the police in this case. After completion of investigation chargesheet has been submitted by the police against the petitioner in the present case. Petitioner is languishing in judicial custody since 04.03.2025.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail after framing of charge on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IV, Patna in connection with Phulwarisharif



P.S. Case No. 349 of 2025 subject to the following conditions :-

(i). Petitioner will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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