

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4275 of 2026

Arising Out of PS. Case No.-304 Year-2025 Thana- HUSSAINGANJ District- Siwan

Kanhaiya Kumar Yadav S/o- Late Naresh Chaudhary @ Late Naresh Yadav,
Resident of Village- Sidhwal, P.S. Hussanganj, Dist- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Pandey, Advocate
		Ms. Shyama Rani, Advocate
For the Opposite Party/s :		Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioner seeks bail in connection with Hussainganj P.S. Case No. 304 of 2025 dated 07.08.2025, registered for the offences punishable under Sections 25(1-b)a and 26 of the Arms Act and Sections 20(b)(ii) (B) of the NDPS Act.

3. As per the prosecution case, on getting secret information about the petitioner keeping illegal weapons and psychotropic substances, the petitioner was apprehended and from his possession recovery of 257grams of cannabis like substance and one country made *katta* loaded with one live cartridge was made.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner has falsely been implicated in the present case. Nothing incriminating was recovered from the person or possession of the petitioner. Petitioner was arrested merely on the basis of suspicion and his criminal antecedents. There is no independent witness to the seizure list. Learned counsel next submits that petitioner is having antecedent of three cases and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 08.08.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner and submits that petitioner appears to be a habitual offender and is accused in serious types of cases.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the submission of chargesheet and period of custody of the petitioner, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Principal District Judge, Siwan / concerned Court, in connection with **Hussainganj P.S. Case No. 304 of 2025**, subject to the condition laid down under



Section 480(3) of the B.N.S.S. and other following conditions:

- (i) *One of the bailors will be a close relative of the petitioner.*
- (ii) *The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.*
- (iii) *In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.*

(Arun Kumar Jha, J)

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