

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1194 of 2026

Arising Out of PS. Case No.-275 Year-2025 Thana- SURYAGARHA District- Lakhisarai

Dharamraj Kumar S/O Valmiki Ram R/O Village- Manachak Kenar, P.S-
Nalanda, Distt.- Nalanda, At presently residing at Village- Surjichak, P.S-
Surajgarha, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Sunil Kumar Pandey

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

2 15-01-2026 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 Surajgarha P.S. Case No. 275 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, on 15.09.2025 at about 02:00 hours, a confidential information was received at the police station that during an orchestra dance programme scheduled in the evening at village Surjivak, one person was openly waving a country-made pistol, and there was a strong apprehension that some untoward incident might occur. Thereafter, for verification of the information and for taking



necessary legal action, police proceeded towards the place of occurrence. At about 02:35 hours, police team reached at the orchestra programme. The police noticed that one person, upon seeing the police, jumped down from the stage and attempted to flee. On suspicion, he was chased and apprehended with the help of the accompanying police officers. Upon interrogation, the apprehended person disclosed his name as Dharamraj Kumar (petitioner). During the search, one country-made pistol was recovered from the right side of the waist of the petitioner. On opening the pistol, one live cartridge of 0.315 bore, bearing marking “8 mm KF”, was found loaded inside it.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is alleged that though a loaded country-made pistol (desi katta) was recovered from the waist of the petitioner; however, the mandatory procedure prescribed under Section 103(4) of the Bharatiya Nagarik Suraksha Sanhita (BNSS) was not followed at the time of search and seizure. Learned counsel further submits that the investigation has already been completed and the charge-sheet has been filed against the petitioner. The petitioner has been in judicial custody since 15.09.2025 and is languishing in jail without any justifiable



cause.

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 Chief Judicial Magistrate, Lakhisrai, connection with Surajgarha P.S. Case No. 275 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/-

U			
---	--	--	--

