

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4905 of 2026

Arising Out of PS. Case No.-259 Year-2025 Thana- CHAUSA District- Madhepura

Md. Barish Alam @ Warish Alam @ Md. Warish S/O Md. Belal @ Balal
Ahmad R/O Village- Paina, P.S- Chausa, Distt.- Madhepura, State- Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 03-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 25(1-b)a and 26 of the Arms Act.

3. The case of the prosecution is that from the possession this petitioner one loaded country made pistol along with one live cartridge was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of this petitioner. There is no independent witness of the seizure list. Police has not followed Section 105 of B.N.S.S. while preparing seizure. Moreover, the



petitioner is languishing in judicial custody since 27.09.2025. r

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that petitioner is having criminal antecedent of nine cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chausa P.S. Case No. 259 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Madhepura **with a condition that the petitioner shall mark his weekly attendance at Chausa P.S.**

(Ashok Kumar Pandey, J)

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