

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6373 of 2026

Arising Out of PS. Case No.-121 Year-2025 Thana- GARHI District- Jamui

1. Md. Gaji Ali Son of Late Md. Shamsul @ Shamsul Haque Resident Of Village- 66 /16 M, Old Calcutta Road, Titagarh North 24 Pargana, District -Bairakpur, West Bengal
2. Md. Bismillah Ali son of Late Md. Shamsul @ Shamsul Haque Resident Of Village- 66 /16 M, Old Calcutta Road, Titagarh North 24 Pargana, District -Bairakpur, West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shrish Anurag, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 11-03-2026 Heard learned counsel for the petitioners, learned APP for the State and perused the case diary.

2. The petitioners seek bail in connection with Garhi P.S. Case No. 121 of 2025, instituted for the offences punishable under Sections 317(2), 317(5), 61(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 25(1-B)(a), 25(1)(a), 25(1-AA), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that on secret information, a raiding team conducted a raid at the house of co-accused, namely, Munna Saw, and allegedly apprehended five



persons manufacturing illegal firearms, from whose possession illegal arms, tools and materials used for manufacturing firearms were recovered and seized.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submitted that the petitioners have got no concern with the alleged recovery of arms. The petitioners are in custody since 06.08.2025 and have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Learned counsel for the petitioners further submits that other co-accused has been granted regular bail by this Court vide order dated 03.02.2026 passed in Cr. Misc. No. 5550 of 2026.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.



7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Garhi P.S. Case No. 121 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

