

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6050 of 2026

Arising Out of PS. Case No.-349 Year-2025 Thana- SHAHPUR PATORI District- Samastipur

Akash Kumar S/o Late Dhananjay Kumar @ Dhananjay Kumar Resident of -
Nagli Bihar, Nazafgadh Das Garden, Gali No. 28, Block - B, House No.
65/15, P.S - Ranaula, District - Nazafgadh, (Delhi), At present - Khesra No.
65/15, Gali No. 28, B Block, Das Garden, Baprola, Nazafgadh South West,
Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Adv.
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in
connection with Shahpur Patori P.S. Case No. 349 of 2025,
registered for the offences under Sections 25(1-B)a, 26 of the
Arms Act.

3. As per the prosecution case, petitioner with his
motorcycle was apprehended and recovery of 7.65 mm semi
automatic pistol with empty magazine was made from the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. The seizure list witnesses are police personnel and there is non-compliance of Section 103 of the BNSS. The vehicle seized from the petitioner belongs to his elder brother. The recovery of pistol is planted and moreover there was no cartridge in it hence no offence under Arms Act is made out against the petitioner. The petitioner is in custody since 15.08.2025 and he is having clean antecedent. Charge sheet has been submitted.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the period of custody and submission of charge sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned ACJM, Patori/concerned court, in connection with Shahpur Patori P.S. Case No. 349 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be the mother of the petitioner and other bailor will be a local person.
- (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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