

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7417 of 2026

Arising Out of PS. Case No.-82 Year-2024 Thana- CHHAURADANO District- East
Champaran

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Ashok Sah @ Ashok Gupta @ Ashok Kumar S/O Late Ram Ekbal Sah R/O
Village- Dumariya @ Dumaria, Ward no. 13, P.S. - Bathnaha, Dist. -
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-02-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Chhauradano P.S. Case No. 82 of 2024, instituted for the
offences punishable under Sections 412/34 of the Indian Penal
Code, read with Sections 25(1-B)(a), 26, 27 and 35 of the Arms
Act.

3. The prosecution case, in short, is that there is
recovery of one country made pistol and three live cartridges
from the possession of co-accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has 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 petitioner. Learned counsel for the petitioner also submitted that the petitioner was not arrested on spot. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused persons, namely, Bhajju Thakur and Dipesh Kumar and the same has got no evidentiary value. It is next submitted that no any recovery of arms have been made from the possession of the petitioner. The petitioner is in custody since 20.12.2024 and has got six criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 21.07.2025 passed in Cr. Misc. No. 44613 of 2025.

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

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

7. Let the petitioner be released on bail *after framing of charge, if not already framed*, on furnishing bail bonds of



Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chhauradano P.S. Case No. 82 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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