

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11295 of 2026**

Arising Out of PS. Case No.-106 Year-2025 Thana- FALKA District- Katihar

Md. Asfaque @ Asfaque S/o Md. Maksud @ Mir Makshud Residents of  
Village- Phuldobhi, Ward No. 07, P.S.- Falka, District-Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Kalyan Shankar, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      24-02-2026                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. Petitioner seeks regular bail in a case registered  
under Sections 25(1-b)a/26 of the Arms Act.

3. As per prosecution case, it is alleged that the police  
on getting secret information conducted raid at the house of  
petitioner and upon search, recovered a country made pistol  
from the pocket of petitioner.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has been falsely implicated in this  
case due to ulterior motive. There is no specific allegation  
attributed to the petitioner. No incriminating article has been  
recovered from conscious possession of petitioner. The charge  
sheet has already been submitted and there is no chance of



absconding of the petitioner or tampering with the evidence.  
Petitioner is in jail since 30.08.2025 having no criminal antecedent and he undertakes to cooperate in the trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, submissions of the parties, allegation against the petitioner and the fact that charge sheet has already been submitted as well as the period of custody undergone by him, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Katihar/concerned court in connection with Falka P.S. Case No.106 of 2025.

**(Sunil Dutta Mishra, J)**

Harish/-

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