

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14255 of 2026

Arising Out of PS. Case No.-149 Year-2025 Thana- SARSI District- Purnia

Ashique @ Md. Ashique Son of Md. Rashul Resident of Village and P.S.-
Sarsi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit, A.P.P.

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

ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sarsi
P.S. Case No. 149 of 2025, instituted for the offences punishable
under Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that one country
made pistol along with one live cartridge has been recovered
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. No incriminating material has been recovered from
the conscious possession of the petitioner. The name of the
petitioner surfaced in this case on the confessional statement of
co-accused Md. Samim, which has no evidentiary value in the



eye of law. Learned counsel for the petitioner also submits that no any arms have been recovered from the possession of the petitioner rather the same has been recovered from the possession of other co-accused persons. It is further submitted that the petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 30.10.2025 and has got four criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted bail by of this Bench vide order dated 12.01.2026 passed in Cr. Misc. No. 88367 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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 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 Sarsi P.S. Case No. 149 of 2025, subject to the following conditions:



(I) One of the bailors shall be the petitioner's own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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