

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14881 of 2026

Arising Out of PS. Case No.-111 Year-2025 Thana- MORKAHI District- Khagaria

Md. Sadrul Son of Late Abdul Qayum R/O Village - Mirjapur, Bardah, P.S.-
Muffasil, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Advocate Ms. Priyanka Singh, Advocate
For the Opposite Party/s	:	Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 13-05-2026 Heard the learned Senior Counsel for the petitioner
and learned APP for the State.

2. The petitioner seeks regular bail in connection with
Morkahi P.S. Case No. 111 of 2025 registered for the offence
under Section(s) 25(1-B)a, 25(1)a, 26(2) and 35 of the Arms
Act.

3. As per the prosecution case, a large quantity of
pistols/weapons, weapon-making materials, and equipment were
recovered from a *Basa* located in Bhaiyar, where they were
allegedly being illegally manufactured by the petitioner and
other co-accused persons. The petitioner was caught red-handed
at the spot. However, the recovery of the three pistols was made
from the *Basa* of one *Guddu Yadav* and not from the possession



of the petitioner. The petitioner was arrested while allegedly fleeing from the spot.

4. Learned Senior Counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. The petitioner is in custody since 23.07.2025. It is further submitted that the recovery was made from the *Basa* of Guddu Yadav, and the petitioner has been wrongfully implicated in the present case. He further submits that the petitioner has two criminal antecedents, but none of the antecedents are under the Arms Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, the period of custody, and the fact that the alleged recovery was made from the *Basa* of Guddu Yadav and not from the possession of the petitioner, the present application for regular bail is allowed.

7. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Morkahi P.S. Case



No. 111 of 2025 subject to conditions that:-

(i). The petitioner shall appear in the trial regularly either personally or through his lawyer and shall cooperate in the trial and non-cooperation in the trial shall result in cancellation of the bail bond of the petitioner.

(ii) Before accepting the bail bonds of the petitioner, the court below shall verify the petitioner's criminal antecedents. If it is found that the petitioner has any criminal antecedent other than Mufassil P.S. Case No. 167 of 2019 and Mufassil P.S. Case No. 292 of 2012, the bail bonds shall not be accepted. However, if the petitioner is found to have only the aforesaid two criminal antecedents, namely Mufassil P.S. Case No. 167 of 2019 and Mufassil P.S. Case No. 292 of 2012, the bail bonds shall be accepted by the court below.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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