

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16868 of 2026

Arising Out of PS. Case No.-777 Year-2025 Thana- MADHAURAH District- Saran

Balmiki Kumar Singh Son of Sri Rajendra Singh Resident of Village-
Jamalpur, P.S.- Marhaura, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL

ORAL ORDER

3 27-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Marhaura P.S. Case No. 777 of 2025, registered under Sections
310(4), 310(5) of the B.N.S., 2023 and Sections 25(1-b)(a), 25,
35 of the Arms Act.

3. As per the prosecution case, the petitioner was
arrested with one country-made pistol and two cartridges.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in the
present case. It is further submitted that the petitioner has two
other cases, one of which is under the Excise Act. The petitioner
has been in judicial custody since 26.11.2025.

5. Learned APP for the State has vehemently opposed
the prayer for bail, placing reliance on the nature of the recovery



alleged against the petitioner.

6. Having considered the submissions advanced on behalf of the respective parties, this Court is of the view that the petitioner is entitled to bail. The petitioner has been in judicial custody for approximately six months since 26.11.2025. The recovery of a country-made pistol and two cartridges is a matter that will fall to be determined at trial on the basis of the evidence adduced; at the stage of bail, this Court is not required to adjudicate upon the veracity of the recovery. The prior cases referred to by the learned APP do not, in the facts of the present matter, constitute a bar to the grant of bail. Accordingly, this bail application is allowed.

7. Let the petitioner above-named, Balmiki Kumar Singh, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra/concerned court below in connection with Marhaura P.S. Case No. 777 of 2025.

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.

(Ansul, J)

Ranjeet/-

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