

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21354 of 2026

Arising Out of PS. Case No.-423 Year-2025 Thana- ATHMALGOLA District- Patna

Happy Kumar @ Happy singh son of Awdhesh singh @ shadhu singh
Resident Of Village - Sirsi Ps -Bakhtiyarpur Dist -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No.-2, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 16-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Athmalgola P.S. Case No. 423 of 2025 lodged on 19.11.2025
under Section 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, recovery of one
country-made pistol along with 15 live cartridges is the subject
matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. In fact,
petitioner has falsely been implicated in the present case as there
were no recovery from the conscious possession of the
petitioner rather the alleged recovery was made from the house



of co-accused Tantan Kumar. The petitioner has been made accused in the present case due to the fact that he is accused in 5 more criminal cases but in all the cases he has been granted bail. The petitioner is in custody since 19.11.2025.

5. Learned counsel for the State opposes the prayer for bail and submits that the alleged recovery has been made on the basis of the disclosure made by this petitioner.

6. Considering the fact that the alleged recovery has been made from the house of co-accused namely Tantan Kumar, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of learned S.D.J.M., Barh(Patna), in connection with Athmalgola P.S. Case No. 423 of 2025, subject to the conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide* and

(ii) The trial Court shall accept the bail bonds of the petitioner only after verifying the facts that the petitioner is not absconding in any of the cases as mentioned in paragraph 3 of



the bail petition as under:-

(i) Bakhtiyarpur P. S. Case No. 422/2017

(ii) Bakhtiyarpur P. S. Case No. 158/2018

(iii) Athmalgola P. S. Case No. 46/2018

(iv) Bakhtiyarpur P. S. Case No. 79/2020

(v) Athmalgola P. S. Case No. 174/2022

Manshi/Ashwini

(Dr. Anshuman, J)

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