

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24267 of 2026

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

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Tantan Kumar S/o Bipin Mahto @ Vipin Prasad @ Bipin Singh R/o Village -
Thamhawa, P.S - Athmalgola, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lal Babu Singh, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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

ORAL ORDER

3 20-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Athmalgola P.S. Case No. 423 of 2025 instituted for the
offences under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. The prosecution case, in brief, is that on the basis of
secret information received during night patrolling, the police
raided the house of Tantan Kumar, where one country-made
pistol, 15 live cartridges, and a mobile phone were allegedly
recovered, while the co-accused Happy Kumar was
apprehended from the spot.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No



incriminating article has been recovered from the conscious possession of the petitioner rather the recovery has been made from 'karkatnuma ghar' which does not belong to the petitioner. Petitioner was not apprehended on the spot rather his name was disclosed by co-accused Happy Kumar. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.01.2026 and has seven criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned A.P.P. 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 as also 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, ***after framing of charge, if not already framed***, 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 Athmalgola P.S. Case No. 423 of 2025, subject to the following conditions:



(I) One of the bailors shall be the petitioner's own or a close family 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)

Alok Verma/-

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