

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24854 of 2026

Arising Out of PS. Case No.-132 Year-2025 Thana- Pahelja P.S. District- Saran

Nitish Kumar Son of Raju Ray Resident of Village- Chausia, P.S.- Pahleja
(Sonpur), District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipak Kumar, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Pahleja P.S. Case No. 132 of 2025 registered for the offence
punishable under Sections 25(1-B)a, 26, 35 of the Arms Act.

3. The case of the prosecution, in short, is that from the
possession of the petitioner, one country made pistol and a
magazine were recovered.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. Learned
counsel also submits that the police has recorded the confessional
statement of Sahil @ Golu wherein he has stated that the weapon
used in Paheja P.S. Case No. 130 of 2025 is kept with the



petitioner, and on this input, the petitioner was searched and the weapon was recovered. He further submits that nothing has been recovered from the possession of the petitioner. The witnesses of the seizure list are police personnel, and the police has not complied with Section 105 of the BNSS while making the seizure. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 29.11.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Saran at Chhapra in connection with Pahleja P.S. Case No. 132 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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