

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25409 of 2026

Arising Out of PS. Case No.-74 Year-2026 Thana- SUPAUL District- Supaul

=====

Laltu Kumar, S/o Ramlakhan Yadav, Resident of village - Kharail Punarwas,
Ward No. 16, Police Station - Supaul, District - Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 16-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Supaul P.S. Case No.74 of 2026 registered under Sections 111(3), 111(4) of the Bharatiya Nyaya Sanhita, 2023 (in short 'B.N.S.') and Sections 25(1-B) (a), 26 and 35 of the Arms Act.

3. As per FIR, one country-made pistol with one live cartridge were recovered from the back seat of the car belongs to this petitioner bearing Registration No.BR11B58943.

4. It is submitted by learned counsel appearing for petitioner that the petitioner has been implicated with



recovery of the country-made pistol only for the reason that same was recovered from his car. It is pointed out that as per case of prosecution he was not said to present inside the car or even to run away from the place of recovery. His name was also not disclosed by apprehended co-accused persons. It is submitted that as in good faith, the petitioner provided his car to one of the co-accused for his personal use and it was not in his knowledge that said person is carrying any illegal country-made firearms, therefore, it can be safely said that recovery was not made from his constructive possession. While explaining criminal antecedent, it is submitted that petitioner found involved in two more criminal cases of petty nature, where he is on bail.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as the factual aspects of this case is *prima facie* not suggesting that the recovery of firearm as alleged was made from constructive/physical possession of this petitioner, whereas the implication appears with aid of vehicle no., as discussed aforesaid, accordingly, the



petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Supaul in connection with Supaul P.S. Case No.74 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short 'CrPC')/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS').

(Chandra Shekhar Jha, J.)

Sanjeet/-

U		T	
---	--	---	--

