

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26558 of 2026

Arising Out of PS. Case No.-121 Year-2025 Thana- PANJWARA District- Banka

Chhotu Yadav @ Bichchu Yadav @ Chotu Yadav son of Dinesh Yadav
Resident of Village- Dumariya, Po- Motiya, Dumariya, Ps- Godda, Dist-
Goda, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-04-2026 Heard Mr.Sanjay Kumar Jha, learned counsel
appearing for the petitioner and Mr.Abhay Kumar Roy,
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
29.09.2025 in connection with Panjwara P.S. Case No. 121 of
2025, (G.R.No.3340/2025), F.I.R. dated 24.09.2025 registered
for the offence punishable under Sections 25(1-b)a,26 of Arms
Act .

3.The case relates to recovery of one country made
pistol from possession of the petitioner.

4. Learned counsel appearing for the petitioner
submits that it appears from the FIR as well as the seizure list
that one country made pistol was recovered from possession of



the petitioner. Learned counsel for the petitioner submits that in fact nothing has been recovered from conscious possession of the petitioner rather the police has planted the same and shown that the recovery has been made from possession of the petitioner and the seizure list witnesses are police personnel so there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the police, after investigation, submitted the chargesheet against the petitioner and petitioner is in custody since 29.09.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one but fairly submits that out of three cases, the petitioner is on bail in two cases and rest one case is pending for consideration before the competent court of law, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Banka in connection with Panjwara P.S. Case No. 121 of 2025, (G.R.No.3340/2025), with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

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

