

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31567 of 2026

Arising Out of PS. Case No.-9 Year-2026 Thana- PRATAPGANJ District- Supaul

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Basant Kumar son of Shyam Sundar Mukhiya R/V- Katkholwa, Ward no. 01,
P.S.- Triveniganj, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 126(2), 115(2), 109, 303(2) and 3(5) of BNS and Sections 25(1-B)a, 26, 35 and 37(b) of the Arms Act.

3. The case of the prosecution is that three unknown miscreants have snatched Rs. 40,000/- from the informant on gun point. As informant started raising alarm, the villagers arrived and apprehended this petitioner and from his possession, one country made pistol was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that from perusal of the FIR, it transpires that the occurrence is of 1PM and from perusal



of the presentation cum seizure list, it transpires that the country made pistol has been handed over to the police at 8:45 PM. Learned counsel has further submitted that no seizure has been made from the possession of this petitioner by police. The country made pistol which is alleged to be seized from the possession of this petitioner is actually planted by the informant due to enmity. No such occurrence is taken place. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 14.01.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

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 released on bail in connection with Pratapganj P.S. Case No. 09 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Birpur, Supaul.

(Ashok Kumar Pandey, J)

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