

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34098 of 2026

Arising Out of PS. Case No.-585 Year-2025 Thana- DHANARUA District- Patna

Santosh Kumar S/o Bijendra Singh Resident of Village- Hulaschak, Post- Bir,
P.S.- Dhanarua, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 19-05-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. appearing for the State.

2. The petitioner apprehends his arrest in connection with Dhanarua P.S. Case No. 585 of 2025, for allegedly having committed offences under Sections 25 (1-b)a/ 26/27 of the Arms Act.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that on 30.09.2025, at about 07:40 p.m., while the informant and other police personnel were on vehicle checking and raid duty, they received an information at 20:15 hours that in village Hulaschak firing is being done by Santosh Kumar on the house of Mobile No. bearing 9006459971. The informant along with police personnel reached the village at around 20:40 hours and conducted raid at the house of the petitioner, however the petitioner was not



found there. In presence of the witnesses, house of petitioner was searched from where one revolver was found kept in a carton. Seizure list was prepared on which police personnel put their respective signature.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case by his agnate Amresh Kumar, with whom land dispute is going on. He further submits that the petitioner was not even present at the place of occurrence and nothing has been recovered from the possession of the petitioner. He further submits that the seizure list has been prepared in violation of the provisions contained under Section 103(4) of the B.N.S.S., since no independent witnesses have come forward to be a witness on the alleged seizure list. He further submits that the house from where the revolver is set to have been recovered is a joint family property and many family members and agnates are residing. He further submits that petitioner has got a clean antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Having heard the learned counsel for the parties and after going through the records, it appears that on the telephonic information given by the agnate of the petitioner, raid was conducted in the joint family house of the petitioner, from where



one revolver was found kept in a carton, however the petitioner was not present at the place of occurrence. It further appears that house is a joint family property in which many persons are residing and the petitioner has got a clean antecedent.

7. Taking into consideration the facts aforesaid, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, 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 S.D.J.M, Masaurhi, Patna in connection with Dhanarua P.S. Case No.585 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned 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 concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

Sanjay/Shital

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