

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40747 of 2026

Arising Out of PS. Case No.-14 Year-2026 Thana- TELMAR District- Nalanda

Khushbu Kumari W/o Sonu Kumar R/o Village- Hirdan Bigha, P.S- Telmar,
Dist- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Telmar P.S. Case No. 14/2026 registered for the offences punishable under Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per FIR, one country made pistol along with four live cartridges alleged to be recovered from the house of petitioner. Informant is the police officer.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the house in issue was occupied by different family members and, therefore, it can be safely said that the recovery of firearm and live cartridge were not made from the conscious physical possession of this



petitioner. It is submitted that petitioner being a lady was present in house as a housewife, where on the basis of secret information regarding her husband search was conducted. It is also submitted that compliance of mandatory provisions as available under Section 103(4) of the BNSS, regarding search prima-facie not appears followed in the present case making the recovery doubtful on its face. It is also submitted that seizure list appears doubtful being supported by police personnel and not by independent witnesses. While concluding argument it is submitted that petitioner found involved in one criminal case, where she has been acquitted.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as petitioner admittedly is the wife of the co-accused against whom secret information was received to have alleged firearm, coupled with the fact as recovery of firearms not appears to be made from physical possession of this petitioner, accordingly petitioner above-named, who is a lady of clean antecedent, in the event of



her arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Bihar Sharif, Nalanda/concerned Court, where the case is pending in connection with Telmar P.S. Case No. 14/2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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