

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46956 of 2026

Arising Out of PS. Case No.-229 Year-2025 Thana- MATIHANI District- Begusarai

Deevana Kumar @ Diwana Kumar S/O Doman Ray @ Doman Roy Resident
Of Village - Ayodhya Badi, Ward No.- 01, P.S- Lakho, District - Begusarai,
Bihar-851129

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Kumar Singh, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-07-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Matihani P.S. Case No. 229 of 2025, instituted for the offences
punishable under Sections 25(1-B)(a) and 26(1) of the Arms
Act.

3. The prosecution case, in short, is that there is
recovery of one country made pistol and two live cartridges
from the bag of the motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. It is next submitted that the petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 17.12.2025 and has got six criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Matihani P.S. Case No. 229 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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