

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42942 of 2026

Arising Out of PS. Case No.-141 Year-2026 Thana- CHAKIA District- East Champaran

Md Asgar @ Asgar Ali @ Mohamad Asgar Son of Late Damri Miya @ Late
Mohammad Iqbal Hussain Resident of Village-Gawandra, P.S-Chakia,
District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail registered for the
offence punishable under Sections 25(1-b)a, 26 and 35 of the
Arms Act.

3. The case of the prosecution, in short, is that from a
Madarsha, one automatic country-made pistol was recovered.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this
case. He also submits that nothing has been recovered from the
possession of the petitioner. The witnesses of the seizure list are
police personnel and the police has not complied with Section



105 of the BNSS while making the seizure. He further submits that the petitioner is languishing in judicial custody since 06.04.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of one case.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, East Champaran, Motihari in connection with Chakia P.S. Case No. 141 of 2026.

(Ashok Kumar Pandey, J)

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