

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50395 of 2026

Arising Out of PS. Case No.-12 Year-2026 Thana- DUMARIYA District- Gaya

Jhakas Bhuiyan @ Jhakaas Bhuiyan Son of Late Bandhu Bhuiyan R/O
Village- Salaiya Tola, Uchailiya, P.S.- Dumariya, Distt.- Gaya (Gaya Ji)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prabhat, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

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

ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Dumariya P.S. Case No. 12 of 2026, instituted for the offences
punishable under Sections 25(1-B)(a) and 26 of the Arms Act.

3. The prosecution case, in short, is that there is
recovery of 3 country pistols along with 44 pillets from the land
of Jiya Karim Khan.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present 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 alleged recovery has been made from the land of Jiya Karim Khan and the petitioner has got no concern with the alleged place of recovery. The petitioner is in custody since 09.02.2026 and has got no criminal antecedent. 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 Dumariya P.S. Case No. 12 of 2026, 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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