

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50478 of 2026

Arising Out of PS. Case No.-141 Year-2025 Thana- PURUSHOTTAMPUR District- West
Champaran

Golu Pathak S/o Vinod Pathak R/o Village - Jiyachha Chuhari (Chuhari), P.S -
Chanpatiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajeet Kumar Bhawdwaj, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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

ORAL ORDER

2 23-07-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Purushottampur P.S. Case No. 141 of 2025 instituted for the
offence under Sections 111(4) & 310(4) of the Bharatiya Nyaya
Sanhita, 2023 and Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. The prosecution case, in short, is that acting on
secret information, the police apprehended two accused during
vehicle checking and recovered a loaded pistol with a live
cartridge from one of them along with a motorcycle. During
interrogation, the co-accused allegedly disclosed that they were
acting on the petitioner's instructions, had procured the firearm
from Nepal for petitioner, and were planning to commit a major



dacoity at the direction of the gang leader.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.03.2026. Petitioner bears four (4) criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. From perusal of the FIR, it would reveal that there is no specific allegation against the petitioner, rather the same is against other co-accused person. Nothing has been recovered from the conscious possession of the petitioner. Merely on the basis of disclosure made by the apprehended co-accused person, petitioner is dragged in this case. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no recovery from the petitioner's possession and manner of petitioner's implication, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing



bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Purushottampur P.S. Case No. 141 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)

Raj Kishore/-

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