IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72690 of 2026

CNR No. BRHC011052332026

Arising Out of PS. Case No.-281 Year-2026 Thana- Gaura P.S. District- Saran

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Ashutosh Kumar @ Prem Kumar Son of Late Ranjeet Singh Resident of Village -Jawainiya Police station -Gaura District -Saran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bashishtha Narayan Mishra, Advocate
Mr. Avinash Raj, Advocate
Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 20-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 25(1-b)a, 26 and 35 of the Arms Act and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from the house of this petitioner, altogether two country made pistols along with some incriminating articles were recovered and from that place, in a scorpio vehicle, altogether 375 ml of illicit liquor were also recovered.

4. Learned counsel for the petitioner submits that the

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petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner. The seizure list witnesses are police personnel and police have not followed Section 105 of BNSS while preparing the seizure. He has no concern with the alleged vehicle or with the said arms. Moreover, he is languishing in judicial custody since 13.08.2026 having no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

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 released on bail in connection with Gaura P.S. Case No. 281 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra.

(Ashok Kumar Pandey, J)

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