IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77767 of 2026

CNR No. BRHC011065712026

Arising Out of PS. Case No.-103 Year-2026 Thana- Patarghat District- Saharsa

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Vijay Sah @ Vijay Kumar S/o Natho Sah R/o Village -Patarghat, P.S - Patarghat, District - Saharsa

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Amarnath Jha, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Patarghat P.S. Case No. 103 of 2026, registered for the offences punishable under Sections 25(1-B) a, 26, 25(9), 35 of the Arms Act.

3. The prosecution case, in brief, is that on 01.06.2026, during evening patrol, the police raided the house of Dina Kumar and Rahul Kumar. Upon search, a country-made pistol was recovered from the Dina Kumar, who allegedly disclosed that he and Rahul Kumar had purchased the illegal weapons from the petitioner.

4. The learned counsel for the petitioner submits that

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the petitioner is innocent and has falsely been implicated. He is a person of clean antecedent. Nothing has been recovered from his conscious possession.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. From the reading of the FIR, it appears that the name of the petitioner has surfaced on account of statement made by co-accused which does not carry much evidentiary value. The petitioner bears clean antecedent. Under these circumstances, I am inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, as named above, in the event of his arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Saharsa in connection with Patarghat P.S. Case No. 103 of 2026, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to further condition that :-

(i) The petitioner shall co-operate in the investigation/ trial.

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(ii) The learned Court below would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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