

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78534 of 2025**

Arising Out of PS. Case No.-79 Year-2025 Thana- FALKA District- Katihar

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Bambam Yadav S/O Sukhdev Yadav @ Sukho Yadav Resident of village-  
Amol (Amoul), P.S.- Falka, District -Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      11-02-2026                      Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Falka P.S. Case no. 79 of 2025 registered under section 317(5) of the Bharatiya Nyaya Sanhita, 2023, section 25(1-b)a, 26 and 35 of the Arms Act, 1959 and section 8(C), 21(b) and 22(b) of the NDPS Act, 1985.

3. As per the prosecution case, on a raid being conducted, a country made pistol and 61.69 grams of smack was recovered from the possession of the petitioner. It is further stated that 19 live cartridges and 41.61 grams of smack was recovered from the possession of the co-accused.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession. No cartridge was recovered from his possession. The



alleged quantity recovered is less than the commercial quantity. The petitioner is in custody since 1.7.2025 and undertakes to cooperate in the trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation of recovery of a country made pistol and 61.69 grams of smack together with the petitioner having antecedent also under the Arms Act, in the facts of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail after completing one year in custody or on framing of charge, whichever is later.

**(Partha Sarthy, J)**

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