IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82404 of 2026

CNR No. BRHC011190312026

Arising Out of PS. Case No.-96 Year-2026 Thana- AAYAR District- Bhojpur

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Umesh Singh Son of Late Bhikhari Singh Resident of Village - Sridhara Tola, Police Station - Ayar, District - Bhojpur.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner : Mr. Ashok Kumar Singh, Adv.
For the Opposite Party : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 25-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Ayar P.S. Case No.96 of 2026 registered for the offences punishable under Sections 25(1-a), 25(1-aa), 25(1-b)a, 26(i), 26(ii), 35 and 27 of the Arms Act.

3. The petitioner is named in the FIR and is in custody since 18.09.2026.

4. As per FIR, upon raid, one country made pistol, one air gun, one iron rifle batt, one yellow colour axi blade, one cutting iron machine, Iron Chheni, one iron hammer, one iron sarsi, one iron reti, one iron sumi, two cutting iron

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die, one iron rukhani, one verma, one iron base machine recovered from the house of three co-accused persons, namely, Raj Kishore Sharma, Suraj Kumar Sharma and Lal Babu Sharma, who named this petitioner to sale a country made pistol, whereafter this petitioner was apprehended by police, and on his instance a country made pistol was recovered from roadside bush.

5. It is submitted by learned counsel appearing for the petitioner that the raid was conducted in the house of other co-accused persons who alleged to be indulged in manufacturing of illegal fire arms. It is submitted that this petitioner, who is a nearby neighbour of main accused persons was apprehended by police to witness the seizure and arrest memo, and when he denied for the same, he was implicated with the present crime in question without having any cogent materials saying that, on his instance, one country made pistol was recovered. It is submitted that alleged recovery was not made from his home rather from an open place accessible by general public and, therefore, the allegation that it was recovered out of confessional

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statement of petitioner appears concocted as this petitioner refused to be the witness of the seizure and arrest memo. While concluding argument, it is submitted that investigation of this case has already been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence. Petitioner claimed clean antecedent.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of overall accusation as, discussed aforesaid, where the recovery of country made pistol appears to be made from an open place accessible to general public coupled with the fact that investigation of this case has already been completed, wherein petitioner being a man of clean antecedent remains in custody since 18.09.2026, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial

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Magistrate- VIIIth , Arrah, Bhojpur, in connection with Ayar P.S. Case No.96 of 2026, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

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