

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87726 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- BELDOUR District- Khagaria

=====

Fulen Sada S/O Ram Sada Resident Of Village - Sakrohar, P.S- Beldaur, Dist-
Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Vinay Kumar

For the Opposite Party/s : Mr.Manoj Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 09-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Beldaur P.S. Case No. 21 of 2025 registered for the offences
punishable under Sections 25(1-B)(a), 26 of the Arms Act.

3. As per prosecution case, one loaded country made
pistol was recovered from the petitioner and upon unloading the
same, one live cartridge was recovered.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR and he has falsely been implicated in this
case. Petitioner is in custody since 25.01.2025 and bears no
criminal antecedent. Charge sheet has been submitted in the
case and there is no likelihood of tampering with the



prosecution evidence. He further submits that mandatory provision of Section 103 of BNSS has not been followed. Learned counsel further submits that charge has already been framed but not a single witness has been examined on behalf of the prosecution as yet.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that one loaded country made pistol was recovered from the petitioner and hence, he does not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria in connection with Beldaur P.S. Case No. 21 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.



(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) If the petitioner is found involved in similar nature of offences in future, the learned trial court shall be at liberty to cancel his bail bond.

(Alok Kumar Pandey, J)

shahzad/-

U		T	
---	--	---	--

