

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 91417 of 2025

Arising Out of PS. Case No.-418 Year-2025 Thana- DARAUNDA District- Siwan

Dewa Chauhan S/o Ram Pravesh Chauhan @ Rampravesh Mahto Resident of
village - Pasiwar, Police Station - Daraunda, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Anwar, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 25-02-2026 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, Sections 310(4) and 310(5) of B.N.S. and Sections 8/20(b)(ii)(B) of N.D.P.S. Act.

3. The case of the prosecution is that from the possession of this petitioner, one country made pistol along with one live cartridge was recovered.

4. Learned counsel for the petitioner submits that the 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. There is no independent witness of the seizure list rather they are police



personnel. Police has not followed Section 105 of B.N.S.S. while making seizure. Ganja has not been recovered from the possession of this petitioner rather it has been made from other co-accused, namely, Guddu Kumar Yadav. Moreover, the petitioner is languishing in judicial custody since 24.08.2025. Learned counsel has further submitted that similarly situated other co-accused person has already been granted bail by this court vide Cr. Misc. No. 89698 of 2025.

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 Daraunda P.S. Case No. 418 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Siwan.

(Ashok Kumar Pandey, J)

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