

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91525 of 2025

Arising Out of PS. Case No.-177 Year-2025 Thana- SOHSARAI District- Nalanda

Abhishek Kumar @ Abhishek Vishwakarma Son of Mr. Anup Vishwakarma
@ Anup Kumar Resident of Village - Mahalpar, P.S.- Biharshariff, District -
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur, Advocate Ms. Vaishnavi Singh, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr. Ajay Thakur, learned counsel for the
petitioner and Mr. Brajendra Nath Pandey, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
27.06.2025, in connection with Sohsarai P.S. Case No. 177 of
2025, F.I.R. dated 27.06.2025 registered for the offences
punishable under Sections 5, 7, 25(1)(a), 25(1-B)(a), 26, 35 of
the Arms Act and later on Section 25(1-AA) of the Arms Act
was added.

3. The case relates to recovery of arms and articles
which are used for manufacturing of illicit firearms.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and the recovery has been made from the house of the landlord and the petitioner is a tenant and at the instance of the landlord the petitioner has been implicated in the present case and there is non-compliance of Section 100 of the Cr. P.C. and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 27.06.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is non-compliance of Section 100 of the Cr. P.C., let the petitioner, above named, be released 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 Judicial Magistrate 1st Class, Nalanda, Bihar Sharif in connection with Soh Sarai P.S. Case No. 177 of 2025, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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