

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88451 of 2025

Arising Out of PS. Case No.-472 Year-2025 Thana- DARAUNDA District- Siwan

Chandan Kumar @ Chandan Prasad @ Chandan Kumar Gupta S/O Vijay Prasad Resident of Village - Balbangra Tola Ramchandrapur, Police Station - Daraunda, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 09-02-2026 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.

3. The case of the prosecution, in short, is that from the possession of petitioner Chandan Kumar one country made pistol and two live cartridges were recovered and from the house of co-accused Vijay Prasad one country made pistol and 14 cartridges were recovered.

4. Learned counsel for the petitioner has submitted that while making seizure police has not complied Section 105 of the BNSS. The witnesses of the seizure list are also police



personnel. Learned counsel for the petitioner has submitted that nothing has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner has submitted that the petitioner is in custody since 29.09.2025. It has further been submitted that similarly situated co-accused Vijay Prasad and Kundan Kumar have been granted bail by this Court in Cr. Misc. No. 86515 of 2025. The case of this petitioner stands on similar footing.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer of bail to the petitioner.

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. 472 of 2025 on furnishing bail bond of Rs.10,000/- (Ten Thousand) each of them with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Siwan.

(Ashok Kumar Pandey, J)

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