

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1420 of 2026

Arising Out of PS. Case No.-297 Year-2025 Thana- AANDAR District- Siwan

Abhishek Tiwari @ Abhishek Kumar Son of Late Rama Shankar Tiwari
Resident of Village - Tiwari Ke Bhatkan, P.S. - Andar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyanshu Kumar Singh, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Ander P.S. Case No. 297 of 2024 registered for the alleged offences under Sections 25(1-b)a, 26, 35 of the Arms Act.

03. As per prosecution case, police received secret information about storage of firearms in the house of co-accused Krishna Tiwari. A raid was conducted and this petitioner was apprehended while trying to flee away from the spot. From the possession of this petitioner, recovery of two live cartridges was made. On search of the bedroom of co-accused Krishna Tiwari, one country made pistol with magazine loaded with four live cartridges, one magazine of counter made pistol, one single



barrel country made gun and two live cartridges of the single barrel gun were recovered.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Recovery of only two live cartridges has been shown from the petitioner but the same is planted as it appears from the contents of the FIR. Other recovery has been shown from the bedroom of co-accused Krishna Tiwari and as the petitioner was present in his house, he was apprehended. Learned counsel further submits that the petitioner is having clean antecedent. The petitioner is in custody since 16.10.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the recovery shown from the petitioner is of two live cartridges and further considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Chief Judicial Magistrate, Siwan/court concerned in connection with Ander P.S. Case No. 297 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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