

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90173 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- PACHMAHLA District- Patna

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Bhavesh Kumar S/o Shivji Nishad @ Shivji Singh Nishad Resident of Village
- Janjira Dumra, P.S - Pachmahla, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate
For the State : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 13-01-2026 Heard the parties.

2. Petitioner seeks regular bail in connection with Pachmahla P.S. Case No. 25 of 2025 registered for the offences punishable under Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The main submissions advanced by the petitioner's counsel are that the petitioner was not apprehended at the spot and his name was disclosed by the co-accused Lakshman Kumar who was apprehended at the spot and merely on that basis, the petitioner has been made accused in this case. It is further submitted that all the prosecution witnesses who are to be examined in the trial of the petitioner, are official persons, so there is no chance of tampering with the witnesses or evidence if the petitioner is released on bail at this stage. It is lastly submitted that though against the petitioner, there is criminal



antecedent of two cases but he is on bail in all the said cases, he has been languishing in jail since 08.09.2025 and against him, the investigation has been completed.

4. Learned APP for the State has opposed the prayer for bail of the petitioner.

5. Considering the above submissions, the averments made in this application and mainly the fact that the petitioner is not alleged to have been apprehended at the spot and he has been made accused mainly on account of the disclosure made by the apprehended co-accused, coupled with petitioner's custody period, completion of investigation against him and also the fact that the material witnesses of the prosecution who are to be examined in the trial of the petitioner, are official persons, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Pachmahla P.S. Case No. 25 of 2025.

(Shailendra Singh, J)

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