

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90662 of 2025

Arising Out of PS. Case No.-713 Year-2025 Thana- SIWAN MUFFASIL District- Siwan

Ashok Chaudhary S/o Late Rajaram Chaudhary @ Rajaram Yadav R/o vill -
Banjariya, P.S.- Siwan Muffasil, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 13-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Siwan
(Muffasil) P.S. Case No. 713 of 2025 instituted for the offence
under Section 317(5) of the Bharatiya Nyaya Sanhita, 2023 and
Sections 26 & 25(1-B)a of the Arms Act.

3. As per the prosecution case, on 08.10.2025 at about
6:30 PM, during a vehicle checking operation, the petitioner
attempted to flee on a motorcycle but was apprehended by the
police, whereupon a country-made loaded pistol and a
motorcycle without valid documents were allegedly recovered
from his conscious possession, and the petitioner is stated to
have confessed that the motorcycle was a stolen article.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.10.2025. Petitioner bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that no stolen article was recovered from the conscious possession of the petitioner. It is next submitted that petitioner has got no concern with the alleged recovered arms or motorcycle. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Siwan (Muffasil) P.S. Case No. 713 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the



family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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