

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91850 of 2025

Arising Out of PS. Case No.-370 Year-2025 Thana- ATHMALGOLA District- Patna

1. Vijay Kumar @ Bijay Kumar S/O Uma Shankar Singh Resident Of Village- Chanda, P.s.- Athmalgola, Dist.- Patna
2. Bharat Kumar S/O Uma Shankar Singh Resident Of Village- Chanda, P.s.- Athmalgola, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have 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 is that from the possession of the petitioners, altogether two country made pistols were recovered.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Learned counsel for the petitioners has submitted that nothing has been recovered from their possession. The witnesses are



police personnel and police has not followed the Section 105 of B.N.S.S. while preparing seizure. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by learned co-ordinate Bench of this Court vide order dated 15.01.2026 passed in Cr. Misc. No. 561 of 2026. The case of this petitioner stands on similar footing. Moreover, the petitioner 08.10.2025.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Athmalgola P.S. Case No. 370 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Barh.

(Ashok Kumar Pandey, J)

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