

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.104 of 2026

Arising Out of PS. Case No.-317 Year-2025 Thana- SULTANGANJ District- Patna

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Dharmendra Rai @ Dharmendra Kumar, aged about 23 years, Male, S/o
Krishna Rai, R/o village- Terasiya, P.S.- Ganga Bridge, Distt.- Vaishali
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Sultanganj PS Case No.317 of 2025 dated 10.08.2025, instituted
for the offence punishable under Sections 317(4), 317(5) of the
Bharatiya Nyaya Sanhita, 2023, and Sections 25(1-B)a, 26, 35
of the Arms Act.

3. The allegation is of recovery of one countrymade
loaded pistol with live cartridge from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
false and concocted case. Nothing has been recovered from his
conscious possession. There is no compliance of mandatory



provision of Section 105 of the *Bharatiya Nagrik Suraksha Sanhita*, 2023, as there is no independent witness on the seizure list. Further it is submitted that the petitioner is in custody since 11.08.2025 having no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Patna City, in Sultanganj PS Case No.317 of 2025.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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