

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59675 of 2023**

Arising Out of PS. Case No.-209 Year-2023 Thana- RAMKRISHNANAGAR District- Patna

RAHUL KUMAR S/o Jangu Singh @ Jang Bahadur Singh R/o Village-Pipra,  
P.S.-Ramkrishna Nagar, Distt.-Patna, Bihar-800016.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shri Prakash Tiwari

For the Opposite Party/s : Mr.Md. Fahimuddin

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      08-09-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 25(1-b)a, 26, 35 of Arms Act and sections 8(C)/21(b) of the N.D.P.S. Act.

3. According to the FIR, the petitioner is alleged to have apprehended on spot and possessed one loaded country made pistol along with two live cartridges. Contraband substance was recovered from possession of other co-accused.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has not concerned with the alleged arms seized by the police and the said contraband substance was recovered from co-accused



Vikash Kumar not from the possession of the petitioner. It is further submitted that the seizure list witnesses are police officials, not a single independent witness which violates section 100 of Cr.P.C. He has got no criminal antecedent as stated para-3 of the bail petition and languishing in judicial custody since 3.4.2023.

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 as well as custody period of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ramkrishna Nagar P.S. Case No. 209 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-XVIII, Patna.

**(Sunil Kumar Panwar, J)**

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