

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32989 of 2025

Arising Out of PS. Case No.-226 Year-2024 Thana- MADHUBANI TOWN District-
Madhubani

Raju Kumar Prasad S/o Ram Ashish Prasad R/o Bhawara ward no. 41,
Machhata Chowk, P.S.- Town, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubham Kumar, Advocate
Mr. Gopal Krishna Nishant, Advocate
Mr. Nishant Choudhary, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

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

ORAL ORDER

2 16-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Madhubani (Town) P.S. Case No. 226 of 2024 instituted for the
offences under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. Police on the basis of secret information raided the
rented house of the co-accused and recovered one country-made
pistol loaded with five live cartridges from the co-accused
Prakash Jha.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions rather the recovery has been made from the co-accused. Charge-sheet has been submitted in this case. Learned counsel for the petitioner submits that petitioner is 45% Person With Disability (PWD). It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.07.2024 and has one criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been enlarged on bail by this Court vide order dated 17-02-2025, passed in Cr. Misc. No. 80367 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case, there being no recovery of arms and ammunitions from this petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten thousand) with two sureties of
the like amount each to the satisfaction of Court
below/concerned Court in connection with Madhubani (Town)
P.S. Case No. 226 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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