

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36229 of 2025

Arising Out of PS. Case No.-109 Year-2025 Thana- RAJAON District- Banka

Prabhash Kumar S/o Kameshwar Tanti R/o Village- Harsanda, PS- Dhankund,
District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad, Adv.

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

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

ORAL ORDER

2 16-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Rajoun (Nawada O.P.) P.S. Case No. 109 of 2025 instituted
for the offences under Sections 25(1-B)a/26 of the Arms Act.

3. As per prosecution case, the police has arrested
the petitioner on the place of occurrence and, on search, a
country-made *Katta* was recovered from his possession.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as
alleged against him and has falsely been implicated in the
present case due to dirty village politics. He further submits



that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the seized pistol. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 05.03.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Rajoun (Nawada



O.P.) P.S. Case No. 109 of 2025.

(Rudra Prakash Mishra, J)

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