

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38270 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- THAKURGANJ District- Kishanganj

Rahul Devnath @ Rahul Debnath Son of Bhuban Devnath Resident of
Village- Sadhu Ramgacch, P.S- Chopra , District -Uttar Dinazpur (W.B)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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

ORAL ORDER

3 25-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Thakurganj P.S. Case No. 17 of 2025 instituted for the offences
under Sections 25(1-b), 26 of the Arms Act.

3. As per prosecution case, the police has recovered
one pistol (on which “*only for Army supply*” was written), one
magazine and one live cartridge from the possession of the
petitioner.

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
merely on the basis of suspicion. The petitioner has not



committed any offence as alleged in the F.I.R. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent and is languishing in judicial custody since 28.01.2025 without any rhyme 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, stating that the offence alleged against the petitioner is serious in nature. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, 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 Thakurganj P.S. Case No. 17 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall



be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

