

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40104 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- KANKARBAG District- Patna

Rahul Kumar Sinha Son of Ajay Prakash Sinha R/o - Kumhar Toli, P.S.-
Kankarbagh, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kankarbagh P.S. Case No. 104 of 2025 instituted for the
offences under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per prosecution case, the police has recovered
three pistol, seven live cartridges from the house of the co-
accused Aman Kumar. From the possession of the petitioner,
one mobile has been recovered.

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.
He further submits that nothing incriminating has been
recovered from the conscious possession of the petitioner. The
petitioner has no concern with the seized arms and ammunition.



The alleged mobile recovered from the possession of the petitioner is his own mobile. 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 one criminal antecedent in which he is on bail and is languishing in judicial custody since 30.01.2025 without any rhymes or reason. He further submits that the co-accused Md. Asif has already been granted bail by this Court vide order dated 12.05.2025 passed in Cr. Misc. No. 28096 of 2025.

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, the period of custody of the petitioner as also the prayer for bail being based on parity, 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 Kankarbagh P.S. Case No. 104 of 2025.

(Rudra Prakash Mishra, J)

rishi/-

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

