

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40088 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- RAJNAGAR District- Madhubani

1. Prahlad Kumar @ Priyanshu Son of Ramchandar Mandal R/o Village-Khangaon, P.S.- Rajnagar, District -Madhubani
2. Kamaldeo Kumar Mahto @ Kamaldeo Mahto Son of Ramudit Mahto Resident of Village- Salempur, Rampati, P.S.- Rajnagar, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashad, Advocate
For the Opposite Party/s : Mrs. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 02-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Rajnagar P.S. Case No. 09 of 2025, instituted for the offences punishable under Sections 310(4), 310(5), 111(2)(b), 111(3), 111(4) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, there is recovery of one country made pistol from the possession of petitioner no. 1.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No



incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that the petitioners have got no concern with the alleged recovery of arms. The petitioners are in custody since 11.01.2025. Petitioner No. 1 has got two criminal antecedents in which he is on bail and petitioner no. 2 has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajnagar P.S. Case No. 09 of 2025.

(Rudra Prakash Mishra, J)

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