

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39737 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- Pastpar Pusthi District- Saharsa

Rupesh Kumar S/o Anil Ram Village- Inarwa, Ward No 5, PS- Saur Bazar,
District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

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

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

ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Pastpar
P.S. Case No. 19 of 2025, instituted for the offences punishable
under Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused person was arrested by the police
and there is recovery of one country made pistol from the
possession of co-accused person.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has got no concern with the alleged recovery of arms. No recovery has been made from the possession of the petitioner, rather the recovery has been made from the possession of co-accused person. The petitioner is in custody since 11.02.2025 and has got no criminal antecedent. 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 petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pastpar P.S. Case No. 19 of 2025.

(Rudra Prakash Mishra, J)

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