

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40893 of 2025

Arising Out of PS. Case No.-262 Year-2024 Thana- BAUNSI District- Araria

Jitendra Rathore S/o Shiv Lal Rathore R/o Village- Binodpur, P.S.- Bausi,
District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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

ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Bausi
P.S. Case No. 262 of 2024 instituted for the offence under
Sections 25(1-b)A, 26 & 35 of the Arms Act.

3. One loaded country made pistol and two live
cartridges were allegedly recovered from the possession of the
petitioner during a raid conducted by the police party.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 26-11-2024. Petitioner
bears five criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing has been recovered from the possession of the petitioner. There is no compliance of Section 103 of the BNSS, 2023. Learned counsel for the petitioner submits that petitioner has no concern with the recovered arms.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Bausi P.S. Case No. 262 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to



cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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