

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43644 of 2025

Arising Out of PS. Case No.-102 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Rahul Kumar @ Paniya S/o Gopal Singh R/o Village- Sakhmohan, Ward No. 7, P.S.- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

3 15-09-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Bibhutipur P.S. Case No. 102 of 2025 instituted for the offences
under Sections 25(1-b)a, 26 of the Arms Act.

3. As per prosecution case, the police has recovered
one country-made pistol kept under the pillow 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 his criminal antecedents. He further
submits that nothing incriminating has been recovered from the
conscious possession of the petitioner. The petitioner has no



concern with the alleged occurrence. 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 six criminal antecedents and, in all of them, he is on bail as has been stated in Para-3 of the present bail petition and is languishing in judicial custody since 19.03.2025 without any rhymes 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 petitioner has six criminal antecedents.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bibhutipur P.S. Case No. 102 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)

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