

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52256 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- SHIVAJINAGAR District- Samastipur

Rakesh Sahu Son of Dukha Sahu Resident of Village-Parsa, P.S.-
Shivajinagar, District - Samastipur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Shivajinagar P.S. Case No. 19 of 2025, dated 27-03-2025, registered for offences punishable under Sections 310(4) and 310(5) of the *Bharatiya Nyaya Sanhita*, 2023 and Sections 25(1-B)A, 26, 35 of the Arms Act.

3. The prosecution case, in short, is that seven accused persons, including the petitioner, were arrested by the police, and some incriminating articles were alleged to have been recovered from the apprehended persons. It is alleged that one country-made loaded pistol was alleged to have been recovered from the possession of Naveen Kumar. It is further alleged that one Android mobile phone was alleged to have been recovered



from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that from the search of the petitioner, one Android mobile phone was recovered from his possession, which belongs to the petitioner. It is submitted that co-accused Naveen Kumar, from whose possession one country-made loaded pistol was recovered, has been granted bail by a Co-ordinate Bench of this Court *vide* order dated 24-07-2025 passed in Cr. Misc. No. 45924 of 2025. Further submission is that another co-accused, namely, Kailash Mandal @ Bulet @ Kailash Kumar, has been granted regular bail by a Co-ordinate Bench of this Court *vide* order dated 28-07-2025 passed in Cr. Misc. No. 46097 of 2025. Lastly, it has been submitted that the petitioner is languishing in judicial custody since 27-03-2025 and has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st, Rosera,



Samastipur, in connection with Shivajinagar P.S. Case No. 19 of
2025.

7. The application stands allowed.

(Khatim Reza, J)

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