

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65682 of 2025

Arising Out of PS. Case No.-264 Year-2025 Thana- BEUR District- Patna

Rahul Chaudhary S/O Rajesh Choudhary @ Rajesh Choudhry R/O Village-
Manikpur, P.S.- Simri, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh, Advocate

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

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

ORAL ORDER

2 16-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Special
Case (NDPS) No. 152 of 2025 arising out of Beur P.S. Case No.
264 of 2025 instituted for the offences under Sections 111(2),
61(2) of the Bharatiya Nyaya Sanhita, 2023, Sections 25(1-b)a,
26, 35 of the Arms Act and Sections 8/20(b)(ii)(A) of the
N.D.P.S. Act.

3. Prosecution case, in short, is that during a raid at the
rented room of co-accused Sagar Kumar, police recovered
illegal firearms, ammunition, *ganja* and cash. The accused
persons disclosed that they were indulged in the trade of illegal
firearms.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. Learned counsel further submitted that the recovery has been made from the house of co-accused Sagar Kumar. Learned counsel further submitted that petitioner is a student and used to reside in the room adjacent to the room of co-accused Sagar Kumar. Except one mobile phone, no incriminating article has been recovered from the conscious possession of the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.05.2025 and has no criminal antecedent. Learned counsel further submitted that the recovered contraband is below the small quantity as per NDPS Act. The co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 11.08.2025 passed in Cr. Misc. No. 51582 of 2025.

5. Learned A.P.P. 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, claim based on parity as also 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Case (NDPS) No. 152 of 2025 arising out of Beur P.S. Case No. 264 of 2025.

(Rudra Prakash Mishra, J)

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