

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65626 of 2025

Arising Out of PS. Case No.-400 Year-2024 Thana- RAJAON District- Banka

Abhishek Kumar @ Abhishek Yadav S/O Ashok Yadav R/O Village-
Mirzapur Changeri, P.S- Barahat , District -Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, 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 Rajoun
P.S. Case No. 400 of 2024, instituted for the offences punishable
under Sections 317(5) of the Bharatiya Nyaya Sanhita, 2023,
read with Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that there is
recovery of one loaded country made pistol and two live
cartridges from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present 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. The petitioner is in custody since 22.08.2024 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 08.08.2025 passed in Cr. Misc. No. 48287 of 2025.

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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajoun P.S. Case No. 400 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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