

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70807 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- IMAMGANJ District- Gaya

Rupesh Paswan S/o Umesh Paswan R/o Village- Malahari Tola, Kadirganj,
P.S.- Imamganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 25(1-AA), 26 and 35 of the Arms Act, Section 3/4 of Indian Explosive Act and Sections 13, 16(1)b, 17, 18, 19, 20, 38, 39 of the Unlawful Activities (Prevention) Act.

3. The case of the prosecution is that from the possession of this petitioner, a mobile phone of vivo company was recovered. It is also alleged that other co-accused persons have given their statement to the effect that this petitioner was also involved with them in unlawful activities.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned



counsel for the petitioner has submitted that save and except the recovery of mobile, nothing incriminating material is against the petitioner. It has further been submitted that similarly situated other co-accused person, namely, Uday Kumar from whose possession, a mobile has recovered has already been granted bail by this Court vide order dated 08.08.2025 in Cr. Misc. No. 48267 of 2025. The case of this petitioner stands on similar footing. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 04.04.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail stating that from the perusal of the seizure list, it transpires that arms have been recovered from the possession of this petitioner.

6. At this stage, it is worth noting that the FIR was otherwise. From perusal of the FIR, it appears that only a mobile has been recovered from the possession of this petitioner. The seizure list appears to be manufactured.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with



Imamganj P.S. Case No. 104 of 2025 on furnishing bail bond of
Rs.10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of learned A.C.J.M.-I, Sherghati, Gaya.

(Ashok Kumar Pandey, J)

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