

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72540 of 2025

Arising Out of PS. Case No.-271 Year-2025 Thana- KHUSRUPUR District- Patna

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Kundan Kumar Son of Ajay Yadav @ Ajay Kumar Singh Resident of Village
- Hardas Bigha, P.S.- Khusrupur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate Mr. Nouman Ahmad, Advocate
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP

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

ORAL ORDER

2 15-10-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Khusrupur P.S. Case No. 271 of 2025, instituted for the offences

punishable under 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 country made pistol and three 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 was a passerby of that way and was apprehended by the police on the basis of suspicion. The petitioner is in custody since 24.07.2025 and has got five criminal antecedents in which he is on bail in four cases. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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 ***after framing of charge, if not already framed*** 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 Khusrupur P.S. Case No. 271 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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