

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81444 of 2025**

Arising Out of PS. Case No.-518 Year-2025 Thana- BARH District- Patna

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Kundan Kumar S/o Late Tarni Yadav Resident of village - Lakhachak, P.S -  
Belchhi, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

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

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

ORAL ORDER

3      18-12-2025                      Heard learned counsel for the petitioner, learned  
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Barh  
P.S. Case No. 518 of 2025, instituted for the offences punishable  
under Sections 317(5), 3(5) of the Bharatiya Nyaya Sanhita,  
2023, read with Sections 25(1-B)(a), 26, 35 of the Arms Act and  
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that there is  
recovery of two country made pistol, two live cartridges, seven  
empty cartridges and 22.650 liters liquor was recovered from  
the room of the petitioner and he was arrested on spot.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. 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 07.09.2025 and has got one criminal antecedent. 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 and submits that the petitioner is named in the FIR and there is direct and specific allegation against him of possessing country made pistol and other articles from his room. It is further submitted that the informant in his re-statement at paragraph no. 3 of case diary and other witnesses at paragraph nos. 18 and 19 have supported the prosecution case. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to



expedite the Trial. However, if the trial is not concluded within a period of four months from the date of receipt/production, the petitioner will have liberty to renew his prayer for bail in the Court below.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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