

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1038 of 2026

Arising Out of PS. Case No.-331 Year-2025 Thana- BUXAR MUFFSIL District- Buxar

RAHUL OJHA Son of Brij Bhan Ojha Resident of Village - Nimej, P.S.-
Brahmpur, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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

ORAL ORDER

5 13-07-2026 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Buxar Muffasil P.S. Case No. 331 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 along with three live cartridges from the house 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. It is next submitted



that the petitioner has got no concern with the alleged recovery of arms. It is further submitted that the recovery has been made from the joint house of the petitioner where other family members also reside. The petitioner is in custody since 13.11.2025 and has got six criminal antecedents in which he has been acquitted in three 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 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 Buxar Muffasil P.S. Case No. 331 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)

Rajorshi/-

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