

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1855 of 2026

Arising Out of PS. Case No.-607 Year-2025 Thana- CHHATAUNI District- East Champaran

Rahul Kumar Son of Chotelal Sah Resident of Village- Sabni, P.S.-
Ramnagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-04-2026 Heard Mr.Aditya Kumar Pandey, learned counsel for

the petitioner and Mr.Md. Shakir Ahmad, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
16.10.2025 in connection with Chhatauni P.S. Case No. 607 of
2025, F.I.R. dated 15.10.2025 registered for the offence
punishable under Section 313 of BNS and Section 25(1-
B)a,26,35 of the Arms Act.

3. The case relates to recovery of one loaded country
made pistol and live cartridges from possession of the petitioner.

4. Learned counsel appearing for the petitioner
submits that the allegation as alleged in the FIR is false and
fabricated and the petitioner has not committed any offence as
alleged in the FIR. Although from a bare perusal of the FIR as



well as the seizure list that one loaded country made pistol and one live cartridge were recovered from possession of the petitioner. Learned counsel for the petitioner submits that there is non-compliance of Sections 103 and 105 of BNSS, 2023. Further submits that the co-accused persons, namely, Mukku Dom @ Arun Dom & Anr. have been granted bail by this Court vide order dated 28.01.2026 passed in Cr. Misc. No.4014 of 2026 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 16.10.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one but he fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact and co-accused persons have been granted bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Chhatauni P.S. Case No. 607 of 2025, with the following conditions:-



(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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