

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1893 of 2026**

Arising Out of PS. Case No.-331 Year-2024 Thana- CHAUSA District- Madhepura

Rupesh Yadav @ Bihar Yadav Son of Sadanand Yadav @ Sadanand Prasad  
Yadav Resident of Village - Rasulpur Dhuriya, Ward No. - 11, P.S. - Chausa,  
District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Barun Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Zainul Abedin, APP

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

ORAL ORDER

2      02-02-2026                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in connection with Chausa  
P.S. Case No. 331 of 2024, instituted for the offences punishable  
under Sections 132, 109(1) of the Bharatiya Nyaya Sanhita,  
2023, read with Sections 25(1-B)(a), 26, 35 and 27 of the Arms  
Act.

3. The prosecution case, in short, is that there is  
recovery of one loaded country made rifle and four live  
cartridges from the room of this petitioner.

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. Learned counsel for the petitioner also submitted that the petitioner was not arrested on spot. The alleged recovery has been made from the joint house of the petitioner where other family members also reside. It is further submitted that the petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 17.08.2025 and has got no 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.

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 Chausa P.S. Case No. 331 of 2024, 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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