

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7178 of 2026

Arising Out of PS. Case No.-736 Year-2025 Thana- GORAUL District- Vaishali

Vivek Kumar S/o Yogendra Rai R/o Village- Dulahpur, P.S - Kathara
(Goraul), District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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

ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Goraul
(Kathara) P.S. Case No. 736 of 2025 instituted for the offence
under Sections 111(3) & 313 of the Bharatiya Nyaya Sanhita,
2023 and Sections 25(1-b)a, 26 & 35 of the Arms Act.

3. Prosecution case in short is that there is recovery of
two live cartridges and one mobile phone from the possession of
the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 08.12.2025. Petitioner
bears no criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that petitioner has no concern with the recovered arms. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel next submits that police after investigation has already submitted charge sheet in this case. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge-sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Goraul (Kathara) P.S. Case No. 736 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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