

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10194 of 2026

Arising Out of PS. Case No.-442 Year-2025 Thana- RAJNAGAR District- Madhubani

Chandan Kumar S/O Kameshwar Prasad Village- Hirapatti, PS- Rajnagar,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Bharti, Advocate Ms. Nitu Kumari, Advocate
For the Opposite Party/s	:	Mr. Shyam Kumar Singh, APP

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

ORAL ORDER

2 10-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rajnagar P.S. Case No. 442 of 2025 instituted for the offences under Sections 310(4), 310(5), 111(2)(b), 111(3), 111(4) of the Bharatiya Nyaya Sanhita, Sections 25(1-b)a, 26, 35 of the Arms Act and Sections 8(c), 21(b), 29 of the N.D.P.S. Act.

3. Prosecution case, in short, is that during election patrolling on 10.10.2025, police apprehended five accused persons including the petitioner near Rampatti Hat and allegedly recovered pistols, cartridges and 95.91 gm brown sugar from them.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Petitioner is in custody since 11.10.2025 and has one criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovery. Learned counsel further submitted that from perusal of the FIR itself, it is evident that the recovery of arms and narcotics has been made from other co-accused persons and so far as this petitioner is concerned, there is recovery of cash amounting to Rs. 16,000/-. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act as also of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned A.P.P. 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, there being no recovery of arms and narcotic substance from the present petitioner as also the period of custody undergone by him, 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 Rajnagar P.S. Case No. 442 of 2025.

(Rudra Prakash Mishra, J)

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