

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13628 of 2026

Arising Out of PS. Case No.-430 Year-2025 Thana- KHAJEKALA District- Patna

Rahul Kumar Son of Shankar Sah @ Shyam Babu Saw Resident of - Deewan
Mohalla, Pato Ki Bagh, P.S.- Khajekala, District – Patna. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 310(2) of the BNS.

3. The case of the prosecution, in short, is that two persons on point of pistol entered in the house of the informant. They took away various articles including cash, mobile phones and hard disk of CCTV.

4. Learned counsel for the petitioner submits that the FIR was lodged against unknown miscreants and the petitioner was falsely implicated in this case. Learned counsel for the petitioner has submitted that one Md. Raja has given his confessional statement before police. It has further been submitted that from possession of this petitioner one country made pistol with live cartridge and Rupees Thirty Thousand were recovered.



Learned counsel for the petitioner has submitted that the witnesses of the seizure list are police personnel and police has not complied Section 105 of the BNSS while making seizure. It has further been submitted that similarly situated co-accused Raushan Kumar has been granted bail by learned Co-ordinate Bench vide Cr. Misc. No. 6100 of 2026. The case of this petitioner stands on similar footing. Learned counsel for the petitioner has submitted that the petitioner is languishing in judicial custody since 18.10.2025.

5. Learned APP for the State has vehemently opposed the bail and has submitted that the petitioner is having criminal antecedent of two cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khajekala P.S. Case No. 430 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Patna City.

(Ashok Kumar Pandey, J)

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