

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19704 of 2026

Arising Out of PS. Case No.-261 Year-2025 Thana- KUNDWACHAINPUR District- East
Champaran

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Rupesh kumar @ Andwa, Son of Satrudhan Prasad, R/o Vill. - Islampur Patel
Chauk, P.S. - Dhaka, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rohit Ranjan, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Kundwachainpur P.S. Case No. 261 of 2025 registered for the
offence punishable under Sections 25(1-b)a and 26 of the Arms
Act.

3. The case of the prosecution, in short, is that from the
possession of this petitioner, one country made pistol and three
live cartridges were recovered.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Nothing has been recovered from his possession. He has
no concern with the alleged recovery. He has been framed in this
case only because of his antecedents. The seizure list witnesses are
police personnel. Police has not complied Section 105 of the



B.N.S.S. while making the seizure. Petitioner is languishing in judicial custody since 22.09.2025.

5. Learned APP appearing for the State has vehemently opposed the application for bail and has submitted that petitioner is having criminal antecedent of 17 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran, Motihari in connection with Kundwachainpur P.S. Case No. 261 of 2025 **with the following conditions:-**

(i) The petitioner shall cooperate in the trial and shall remain physically present on each and every date in the learned trial Court.

(ii) He shall also mark his attendance weekly at Kundwachainpur P.S.

(Ashok Kumar Pandey, J)

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