

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 22953 of 2026

Arising Out of PS. Case No.-225 Year-2025 Thana- GOGRI District- Khagaria

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Mohammad Rahul @ Mohammad Istkhar @ Md. Rahul @ Rahul @ Md. Istkhar son of Jahangir Resident Of Village- Itahari, Ward no. 2, Ps- Gogari, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 17-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Sessions Trial No. 42 of 2026 arising out of Gogari P.S. Case No. 225 of 2025 registered for the offence punishable under Sections 25(1-AA), 26, 35 of the Arms Act.

3. The case of the prosecution, in short, is that a country-made pistol was recovered from the possession of this petitioner. It is further alleged that the recovery of weapon was also made from co-accused.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this



case. He also submits that nothing has been recovered from the possession of the petitioner. The witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. He further submits that similarly situated co-accused has been granted bail by this court vide Cr. Misc. No. 19754 of 2026. Moreover, the petitioner is languishing in judicial custody since 03.09.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner has 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 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 District & Additional Sessions Judge-III, Khagaria in connection with Sessions Trial No. 42 of arising out of Gogari P.S. Case No. 225 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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