

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33646 of 2026

Arising Out of PS. Case No.-188 Year-2025 Thana- PANDARAK District- Patna

Akash kumar son of Daharu Yadav Resident Of Village- Gowasa Shekhpura,
Ps- Pandarak, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhim Sen Prasad, Advocate

For the Opposite Party/s : Ms.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-07-2026 Heard Mr.Bhim Sen Prasad, learned counsel for the
petitioner and Ms.Asha Devi, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 25.10.2025 in connection with Pandarak P.S. Case No. 188 of 2025, F.I.R. dated 24.10.2025 registered for the offence punishable under Sections 310(4),310(5) of BNS and Sections 25(1-B)(a),26,35 of the Arms Act.

3. The case relates to recovery of one country made pistol and one live cartridge from possession of the petitioner.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Further submits that it appears from the FIR as well as the seizure list that some arms have been recovered from possession of the petitioner and other co-accused person and



from possession of the petitioner one country made pistol, one live cartridge and feathere pulps were recovered. Learned counsel for the petitioner submits that from a bare perusal of the seizure list it appears that the seizure list witnesses are police personnel so there is non-compliance of the mandatory provisions of the BNSS, 2023 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 25.10.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the recovery has been made from possession of the petitioner, apart from that, the petitioner carries two more cases other than the present one but he fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st , Barh, Patna in connection with Pandarak P.S. Case No. 188 of 2025,with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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