IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77056 of 2026

CNR No. BRHC011105752026

Arising Out of PS. Case No.-69 Year-2026 Thana- SONBERSA COURT District- Saharsa

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Rahul Paswan @ Rahul Kumar @ Rasul Kumar S/o Harilal Paswan @ Hari Paswan R/o vill- Amarpur, Ward No 13, PS- Sonbarsa, Kutchary, District- Saharsa

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Piyush Saurav, Advocate
For the Opposite Party/s : Mr. Bharat Bhusan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-11-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Sonbarsa Kachanari P.S. Case No. 69 of 2026 for the offence under sections 25(9) and 26 of the Arms Act lodged on 24.06.2026 by the informant, Supriti Verma.

3. As per the prosecution story, the police alleged that it chanced upon a photograph of the accused petitioner with arms, one in his hand and the other under his belt went viral. Upon identification, the petitioner's home was searched but nothing recovered/seized. Upon interrogation, he informed that someone in the social media (Ranjan Hazari) has wrongly made the photograph while he was at his in-laws house. Further, the

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arms belong to Rohit Paswan. Accordingly, the house of Rohit Paswan was also raided but again there was no recovery/seizure. This led to the FIR.

4. Learned counsel for the petitioner submit that he is only 22 years of age having no criminal antecedent, have been implicated by the in-laws by not only handing it him over the arms, it was photographed and made viral to make him an accused. He has nothing to do with the said arms and undertaking is given that in case he is found to be indulged in such activity, if relief is granted, the same be canceled immediately.

5. Learned APP Mr. Bharat Bhushan opposes the prayer submitting that the photograph clearly show, he is carrying two arms.

6. Considering the submissions of the parties aforesaid as also the fact that he cooperated in the investigation by presenting himself before the police station, has no criminal antecedent, 22 years of age, undertaking has been given that he shall be cooperating in the investigation, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. If, however, it is found that contrary to the

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statement made in paragraph-3, the petitioner has criminal antecedent, the present order shall become infructuous.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M., Saharsa in connection with Sonbarsa Kachanari P.S. Case No. 69 of 2026 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for six months to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

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(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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