**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.80193 of 2026**

**CNR No. BRHC011118872026**

Arising Out of PS. Case No.-209 Year-2026 Thana- AANDAR District- Siwan

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Rakesh Kumar Son of Lalan Manjhi Resident of Village - Chhoti Baghauni, Police Station - Hussainganj, District - Siwan.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Andar P.S. Case No. 209 of 2026 instituted for the offences under Sections 310(4), 310(5) and 111(3) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. Prosecution allegation, in short, is that during vehicle checking, police intercepted a fleeing Maruti Celerio near the State Bank of India in Gadar village, apprehended accused Prakash Kumar and Ajit Kumar @ Amar along with several mobile phones. During a search, a loaded country-made pistol with four live cartridges recovered from Prakash Kumar,

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and a double-barrel country-made firearm with six live cartridges recovered from Ajit Kumar, who subsequently confessed that the armed group had assembled specifically to rob the nearby bank.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case merely on suspicion. Charge-sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. There is no recovery of arms and any incriminating materials from the conscious possession of the petitioner. It is further submitted that recovery has been made from other co-accused persons, namely, Prakash Kumar and Ajit Kumar Bin. The petitioner is in custody since 09.07.2026 and has got no criminal antecedent. There is no compliance of Section 103 of the B.N.S.S.. Co-accused have been granted regular bail by a co-ordinate Bench vide order dated 30.09.2026 passed in Cr. Misc. No. 70467 of 2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

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7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Andar P.S. Case No. 209 of 2026.

**(Rudra Prakash Mishra, J)**

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