

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83308 of 2025

Arising Out of PS. Case No.-452 Year-2025 Thana- MAHARAJGANJ District- Siwan

Rahul Kumar @ Rahul Kumar Yadav S/o- Late Umesh Yadav @ Late Umesh
Kumar Yadav R/v- Mahuari Ps- Maharajganj Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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

ORAL ORDER

4 11-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Maharajganj P.S. Case No. 452 of 2025, instituted for the offences under Sections 310(4), 310(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 25(1-b)A, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that police received secret information that petitioner along with other accused persons are preparing to commit dacoity. In the meanwhile, police personnel reached there and apprehended the petitioner including four other miscreants. On search, country pistol and live cartridges were recovered.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Learned counsel further submitted that as per FIR, one loaded country-made pistol has been recovered from the petitioner. Learned counsel further contended that no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the recovered arms and ammunitions. It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.09.2025 and has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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, as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Maharajganj P.S. Case No. 452 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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