

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88755 of 2025

Arising Out of PS. Case No.-164 Year-2025 Thana- KHIRI MORE District- Patna

Rakesh Kumar Son of Ramnath Yadav Resident of Village - Katka, Dallu Bigha, P.S.- Khirimore, District - Patna (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate

For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 06-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 25(1-B)A, 26 and 35 of the Arms Act.

3. The case of the prosecution, in short, is that from the possession of this petitioner one three nut and two country made pistol were recovered.

4. Learned counsel for the petitioner submits that nothing has been recovered from the possession of this petitioner. Learned counsel for the petitioner has further submitted that the witnesses of seizure list are police personnel. It has also been submitted that police has not complied Section 105 of the BNSS which is mandatory in nature. Learned counsel for the petitioner



has submitted that the petitioner is in judicial custody since 19.08.2025.

5. Learned Additional Prosecutor for the State has vehemently opposed the bail application of the petitioner and has submitted that the petitioner is having criminal antecedent of two cases.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khirimore P.S. Case No. 164 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.- 1st Class, Danapur, Patna.

(Ashok Kumar Pandey, J)

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