

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59890 of 2024**

Arising Out of PS. Case No.-189 Year-2024 Thana- PAHARPUR District- East Champaran

Rupesh Kumar Ram @ Prince Kumar @ Rupesh Kumar Son of Bunilal Ram  
Resident of village- Mathlohiyar Nuniyawa Tola, P.S.- Harsidhi, District- East  
Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Advocate  
For the Opposite Party/s : Mr. Binod Kumar, APP

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

ORAL ORDER

2      31-08-2024                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in Paharpur P.S. Case No.  
189 of 2024, instituted for the offences punishable under  
Sections 414/34 of the Indian Penal Code, Sections 25(1-B)(a),  
26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, two country  
made pistol loaded with two live cartridges and two extra live  
cartridges have been recovered from the possession of the  
petitioner.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner further submits that the petitioner has no concern with the alleged recovery of arms. The petitioner was a passerby of that way and was arrested on the basis of suspicion. The petitioner is in custody since 27.04.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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 taking into account 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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Paharpur P.S. Case No. 189 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

U		T	
---	--	---	--

