

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4368 of 2025

Arising Out of PS. Case No.-198 Year-2024 Thana- JURAWANPUR District- Vaishali

Vijay Kumar Rai @ Pranta Rai, aged about 23 years (M), S/O Mogal Rai,
resident of village- Rampur Kara Barani, P.S- Jurawanpur, Distt.- Vaishali.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha-1, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Jurawanpur PS Case No.198 of 2024 dated 04.11.2024,
instituted for the offence punishable under Sections 111 of the
Bhartiya Nyaya Sanhita, 2023 and Sections 25(9), 25(1-b)a, 26,
35 of the Arms Act.

3. It is alleged that one countrymade pistol and three
live cartridges were recovered from the trunk of the banyan tree
on the disclosure made by the petitioner.

4. Learned counsel for the petitioner submits that
nothing incriminating has been recovered from the conscious
possession of the petitioner, rather, seizure has been made from
the trunk of the banyan tree and that banyan tree does not



belong to the petitioner. The petitioner has no concern with the alleged recovered articles. Learned counsel further submits that perusal of the seizure list will show that the seizure list was prepared on 03.11.2024 and there is mention of case number on the seizure list, whereas FIR has been lodged on 04.11.2024, which proves that the present case been lodged falsely only to implicate the petitioner. Lastly, it is submitted that the petitioner is in custody since 05.11.2024 and one criminal case is pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-XIV, Vaishali at Hajipur, in Jurawanpur PS Case No.198 of 2024, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother,



brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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