

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7232 of 2025

Arising Out of PS. Case No.-451 Year-2024 Thana- RAFIGANJ District- Aurangabad

Saroj Kumar S/O Late Musafir Chaudhary R/O Village- Babuganj, P.S-
Rafiganj, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Singh, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Rafiganj P.S. Case No. 451 of 2024, registered for the offences under Sections 25(1-b)a and 26 of the Arms Act

3. As per the prosecution case, police received secret information about petitioner carrying a 'katta' and a raid was conducted on the house of the petitioner and from the possession of the petitioner recovery of a country made iron 'katta' and ten live cartridges were made.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from person or possession of the petitioner and the



case has been lodged due to misunderstanding between the petitioner and his son namely, Ayush Kumar. The wife of the petitioner has been suffering from failure of kidney and a lot of money was required for her treatment and for this purpose the petitioner has been selling his land which was opposed by his son Ayush Kumar and the present case has been lodged only at his instigation so that petitioner could not sell the land. A compromise petition has been filed between the petitioner and his son. The petitioner is in custody since 30.08.2024 and he has no criminal antecedent. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the submission of charge sheet, period of custody of the petitioner and his clean antecedent, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Aurangabad/concerned court, in connection with Rafiganj P.S. Case No. 451 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other



following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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