

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17235 of 2025**

Arising Out of PS. Case No.-625 Year-2024 Thana- KARAKAT District- Rohtas

Manish Kumar Son of Rang Bahadur Singh Resident of Village- Sikariyan,
P.S.- Karakat, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhouri Vipin Bihari Shrivastava, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 07-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for
the offences punishable under Sections 25(1-B)(1), 26 and 35
of Arms Act.

3. As per the FIR, the informant has alleged that on
the basis of secret information, house of co-accused Uday
Kumar @ Ranjan Kumar was raided and he was apprehend.
Subsequent thereto, his confessional statement was recorded
that he had stated in his confessional statement that the arms
which was used in the other case i.e., Nasariganj P.S. Case
No. 404 of 2024, was kept in the house of co-accused Manish
Kumar (petitioner).

4. Learned counsel for the petitioner submits



that petitioner has falsely been implicated at the behest of Uday Kumar who had been apprehended by the police and on whose confessional statement, the raid was conducted at the house of the petitioner. Learned counsel for the petitioner further submits that from perusal of the confessional statement of co-accused Uday Kumar, it would be evident that he had accepted that the arms was with him, however, in order to save himself from the police, the same was kept at the house of the petitioner. Learned counsel for the petitioner next submits that admittedly the recovery of the arms was made on the confessional statement of the co-accused Uday Kumar and that too from room kept in the joint property i.e., the house of the petitioner, and admittedly the same was not recovered from his conscious physical possession. Learned counsel for the petitioner has next submitted that the co-accused person on whose confessional statement, the said recovery was made from the house of the petitioner, has been enlarged on bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 13.05.2025, passed in Criminal Misc. No. 11452 of 2025. Learned counsel for the petitioner lastly submits that petitioner has one criminal antecedent, however his name was inserted after the present case and he is in



custody since 02.12.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has stated that arms were recovered from the house of the petitioner on the statement of the co-accused Uday Kumar.

6. Considering the aforesaid submissions made by the parties and taking account that the person on whose statement, the recovery was made, has already been granted bail by a Co-ordinate Bench of this Hon'ble Court, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Karakat P.S. Case No. 625 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two 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.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Rohtas within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail



for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned, order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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