

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 21897 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- DAUDPUR District- Saran

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Anshu Kumar Rai Son of Anil rai R/V- Chamrahiya, P.S.- Daudpur, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Adv.

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Daudpur P.S. Case No. 26 of 2025 registered for the offences punishable under Sections 310(4), 310(5), 3(5) of B.N.S., 2023 and section 25(1-B)a, 26, 35 of the Arms Act.

3. As per prosecution case, on secret information, police intercepted three motorcycles at Chamarhiyan Ekma road and apprehended three accused persons including the present petitioner. There is alleged recovery of one loaded country made katta, a mobile phone and a motorcycle from the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence as alleged in the first information report. Learned counsel submits



that petitioner has criminal antecedent of two cases which are not similar to the present case and he is already on bail in both the cases. He submits that petitioner has no antecedent of involvement in similar nature of offence. Learned counsel submits that police had asked the petitioner to become witness of the seizure list which was refused by the petitioner and, therefore, he has falsely been implicated in the present case by the police. The seizure list has not been made as per law. Petitioner is in custody since 27.01.2025. Charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and considering the material available on the record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Saran at Chapra in connection with



Daudpur P.S. Case No. 26 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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