

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31675 of 2025**

Arising Out of PS. Case No.-582 Year-2024 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

Rudal Kumar S/o Jawahar Yadav @ Javahar Yadav Resident of Village- Dhav,
Ward No. 12, P.S.- Simri Bakhtiyarpur, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Adv.
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-08-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Bakhtiyarpur P.S. Case No. 582 of 2024,
registered for the offence punishable under Sections 25(1-B)a,
26 and 35 of the Arms Act.

3. In course of raid conducted by the police to nab the
absconding accused, Jawahar Yadav, the police raided his house,
where this petitioner was found sleeping in a room. In course of
search, one loaded country made pistol and thirty live cartridges
were recovered.

4. Learned Advocate for the petitioner submitted that
in fact the police had come in search of co-accused Jawahar



Yadav, who is none else but the father of the petitioner and only on account of the fact that incriminating arms and ammunitions have been recovered from the house, the name of the petitioner has been implicated along with his father. The reason for the false implication is also said to be one criminal antecedent, as has been disclosed in paragraph no. 3 of the bail application. It is further contended that, be that as it may, the offences as alleged in the FIR is triable by the Magistrate and now the petitioner has been incarcerated since 28.12.2024.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that arms and ammunitions have been recovered from the house of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the period of incarceration and the fact that the investigation of the crime is complete and the charge-sheet has been submitted, let the petitioner, named above, 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 learned Chief Judicial Magistrate, Saharsa in connection with Bakhtiyarpur P.S. Case No. 582 of 2024, subject to the condition that one of the bailors



will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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