

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32998 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- BACHHWARA District- Begusarai

1. Azad Kewat @ Ajad Kewat S/O Late Nandkishore Kewat @ Nandkishor Kewat R/O Village- Jhakhoul, Jhakhour, Jakhaur, PS- Bind, District- Nalanda
2. Chandan Kewat @ Chandan Rawat @ Chandan Kumar S/O Sita Ram Kewat @ Sita Ram Kebat R/O Village- Jhakhoul, Jhakhour, Jakhaur, PS- Bind, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 33709 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- BACHHWARA District- Begusarai

1. Raja Kumar Son of Baban Ram @ Baban Singh R/o Village - Mohaddipur, P.S.- Bind, District - Nalanda
2. Amit Kumar Son of Baban Ram @ Baban Singh R/o Village - Mohaddipur, P.S.- Bind, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 32998 of 2025)

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv

For the Opposite Party/s : Mr.Anant Kumar 1, APP

(In CRIMINAL MISCELLANEOUS No. 33709 of 2025)

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER



2 26-05-2025 Both the cases are being taken up together as they arise out of the same police station case.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners make a prayer for grant of regular bail in a case registered for the offences punishable under Sections 310(4), 310(5), 338, 336(3), 340(2), 317 (2), 317(3), 317(5) of BNSS and sections 25(1-b) a, 26,35 of the Arms Act.

4. The allegation in the FIR, is that two persons namely, Murari Jha and Dhiraj Kumar were arrested and firearms were recovered from their possession. During the interrogation, it was revealed that One Subhash Jha and Abhishek Kumar were planning a dacoity whereupon raid was conducted at the lodge near Janakpur Postal Park where seven accused persons were found present and it is stated that upon search of the room, the police recovered iron cutter and inside a bag one country made pistol with two magazines, 13 live cartridges, 11 ATM cards, cheque books and pass-books.

5. Learned counsel for the petitioner submits that these petitioners are one of those seven persons, who were allegedly present in the lodge. However, no recovery has been made from physical and conscious possession rather the recovery has been



made from the room. From the seizure list, it would transpire that there is no specific allegation against the petitioners. The recovery has been shown generally from all the accused persons. Further it is submitted that while the petitioner no. 2 in Cr. Misc. No.32998 of 2025 has no criminal antecedent and petitioner no. 1 is accused one more case in which he is on bail further in Cr. Misc. No.33709 in 2025 the petitioner no. 1 is accused in two cases whereas petitioner no. 2 is accused in one case and they are also on bail in all the cases. Further the attention of this Court has also been drawn to the fact that one similarly situated co-accused person Ravi Kant Kumar has already been granted bail vide order dated 20.05.2025, passed in Cr. Misc. No.29305 of 2025

6. The learned APP opposes the prayer for bail.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners shall be enlarged on bail on furnishing bail bonds 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 Bachhwara P.S. Case No. 41 of 2025, subject to condition that the trial court shall verify the criminal antecedent of the petitioners before releasing him on bail, which shall be done



expeditiously without causing any delay.

(Soni Shrivastava, J)

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