

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34041 of 2025

Arising Out of PS. Case No.-6 Year-2024 Thana- Chakki District- Buxar

Kamlesh Rai @ Kamlesh Singh S/o Late Ramgovind Singh @ Govind Singh
@ Late Govind Rai @ Ramgovind Rai R/o Village- Chakki Chuni Dera, P.S.-
Chakki, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 34933 of 2025

Arising Out of PS. Case No.-6 Year-2024 Thana- Chakki District- Buxar

Madan Rai @ Madan Singh Son of Late Ramgovind Singh @ Govind Singh
@ Late Ram Govind Rai @ Ramgovind Rai Resident of village - Chakki
Chuni Dera, P.S.- Chakki, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 34041 of 2025)

For the Petitioner/s : Mr. Rahul Kumar, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 34933 of 2025)

For the Petitioner/s : Mr. Rahul Kumar, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-05-2025 Heard the learned counsel for the petitioners and the

learned Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with

Chakki P.S. Case No. 06 of 2024, registered for the offences

punishable under Sections 25(1-b)a, 26 and 35 of Arms Act.



Petitioner, namely, Kamlesh Rai @ Kamlesh Singh has one criminal antecedent while petitioner, namely, Madan Rai @ Madan Singh has two criminal antecedent.

3. As per the prosecution case, it has been alleged that six named accused persons of one Chakki P.S Case No. 05 of 2024 were said to have been at their house trying to hide the deadly weapons which was used by the said accused persons. On such information, the police conducted raid and during search, it has been alleged that one mini rifle, one rifle, 13 live cartridges and 11 empty cartridges were recovered from the house of the petitioners.

4. The learned counsel for the petitioners submits that petitioners are innocent have falsely been implicated in this case, showing recovery from an open space i.e., besides the boundary wall of the house of the petitioner which admittedly is the joint accommodation of the extended family of the petitioners. The learned counsel further submits that even from the seizure list, it would be evident that the seizure is stated to be from near the boundary wall of the house of all the accused persons. The learned counsel next submits that though the petitioner, namely, Kamlesh Rai has one criminal case and he is in custody since 09.12.2024 in the present case while the



petitioner, namely, Madan Rai has two criminal cases against his name and he is in custody since 30.10.2024 in the present case

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that the arms have been recovered from the conscious possession of the petitioners.

6. Considering the aforesaid submissions made by the parties and taking into account that the recovery was made from the campus of dwelling house and also taking into account the period of custody, I am inclined to grant the petitioners privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the court of learned Chief Judicial Magistrate, Buxar, in connection with Chakki P.S. Case No. 06 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioners shall be his close relative.

(ii) The petitioners 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 petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Sourendra Pandey, J)

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