

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30829 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- Kawaiya District- Lakhisarai

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Golu Kumar @ Rakesh Kumar S/O Mithilesh Ram R/O Village- Kiul Basti,
Ward No. 22, P.S- Kabaiya, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabi Bhushan, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-08-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Kabaiya P.S. Case No. 40 of 2025 for the offence punishable under Sections 25(1-b)A, 26 of Arms Act lodged on 10.02.2025 by the informant,Rajbardhan Kumar.

3. As per the prosecution story, on secret information, the Police reached the place and apprehended them with a country made pistol. This led to the FIR.

4. Learned counsel for the petitioner submits that only because of criminal antecedent, he has been implicated and the arm recovery has been shown. He has already suffered by being in custody since 11.02.2025 and if granted bail shall be diligently appearing in trial.

5. Learned APP opposes the prayer stating that he has



criminal antecedent.

6. Considering the submissions of the parties as also his period of custody, FIR lodged, undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M., Lakhisarai, in connection with Kabaiya P.S. Case No. 40 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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