

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32059 of 2025

Arising out of PS. Case No.-2 Year-2025 Thana- BARAUNI District- Begusarai

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Dhanraj Kumar, S/o Satindra Malakar @ Kari Malakar @ Sachindra Malakar
@ Satindra, R/o Mohalla- Homodih (Hamodih), Ward No.- 06, P.S.- Birpur,
Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s: Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Ba-
rauni P.S. Case No. 02 of 2025 instituted for the offences under
Sections 25(1-B)(a), 24 and 35 of the Arms Act. He has no crim-
inal antecedent.

3. As per the prosecution case, during search the po-
lice party intercepted a motorcycle on which two persons were
riding and they were apprehended who disclosed their names as
Dhanraj Kumar (Petitioner) and Manish Kumar and on search
one country-made pistol and one live cartridge was recovered
from the possession of the petitioner and from the possession of
the other co-accused person namely Manish Kumar two live



cartridges have been recovered.

4. Learned counsel for the petitioner submits that the petitioner carries clean antecedent and he has been falsely implicated in this case at the behest of the police. It is further submitted that no such recovery as stated by the police, has been made from the possession of the petitioner. It has also been submitted that search and seizure was not as per the provisions of law and admittedly no independent witness is there in the seizure-list, against the petitioner. It is lastly submitted by learned counsel for the petitioner that the petitioner is in custody since 05.01.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that one loaded country-made pistol and two live cartridges have been recovered from the possession of the petitioner, and, hence he does not deserve liberty of bail.

6. Considering the aforesaid submissions of learned counsel and taking into account the fact that the petitioner has clean antecedent and is in custody since 05.01.2025, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned Chief Judicial Magistrate, Begusarai in connection with Barauni P.S. Case No. 02 of 2025, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of



verification.

(Sourendra Pandey, J)

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