

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33962 of 2025

Arising Out of PS. Case No.-294 Year-2024 Thana- BUXAR INDUSTRIAL District- Buxar

Ajit Rai @ Musa S/O Late Santosh Rai Resident of Village- Umarpur, Police
Station- Buxar (Industrial Area), District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Buxar (Industrial) P.S. Case No. 294 of 2024 registered for the alleged offences under Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, a raid was conducted in the house of the petitioner as the petitioner is accused in Buxar (Industrial Area) P.S. Case No. 113 of 2023. The police came to know that the petitioner had been sleeping in the dairy farm of one Kaushlesh Rai. Further, raid was conducted and from the bed of Kaushlesh Rai, recovery of two country made *katta* were made. Other co-accused persons were also apprehended and it came to the knowledge of the police that this petitioner fled



away from the spot.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the facts of the case, no offence under any of the provision of Arms Act is made out against the petitioner. Petitioner has no concern with the place from where recovery has been made and this fact is apparent from the FIR. It has been falsely alleged that the petitioner was present at that place and fled away from the spot and the story is not believable. Learned counsel further submits that petitioner is having four antecedent and he is on bail in all the cases.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that petitioner appears to be habitual offender.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague and doubtful nature of allegation against the petitioner and further considering the possibility of false implication, let the petitioner named above, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties



of the like amount each to the satisfaction of learned Chief
Judicial Magistrate, Buxar/court concerned in connection with
Buxar (Industrial) P.S. Case No. 294 of 2024, subject to the
condition laid down under section 482(2) of the B.N.S.S. and
other 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.

(Arun Kumar Jha, J)

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