

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33581 of 2025

Arising Out of PS. Case No.-55 Year-2024 Thana- UJIYARPUR District- Samastipur

Raja Kumar son of Arvind Kumar @ Arvind Kumar Singh Resident of
Village- Baghi, Ps- Karpurigram, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pratik, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 27-05-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Ujiyarpur P.S. Case No. 55 of 2024, registered for the offences
punishable under Sections 399, 402 of the Indian Penal Code
and Sections 25(1-b)(a), 26 & 35 of the Arms Act. Petitioner has
eight criminal antecedents.

3. As per the FIR, the police, on a tip off that some
miscreants have assembled and planning to commit an illegal
act, conducted raid, few persons were apprehended and it is
alleged that country-made pistol was recovered from Sanjeev
Kumar while some phones were recovered from the accused
Arvind Kumar and a motorcycle and phone was recovered from



the place of occurrence. It was alleged in the FIR that all the apprehended accused persons including the petitioner were planning to commit a loot however they were apprehended.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and admittedly no incriminating material has been recovered from the conscious physical possession of the petitioner. It has been stated by the learned counsel that the petitioner has been falsely implicated merely because he carries eight criminal antecedents against him. It has further been submitted that a co-accused, namely, Chandan Kumar has been granted bail by a Co-ordinate Bench of this Court order of which has been brought by way of Annexure-2. The learned counsel lastly submits that the petitioner is in custody since 13.03.2024 in the present case.

5. The learned A.P.P. for the State has opposed the prayer for bail and has stated that the petitioner is the named accused and has long list of criminal antecedents.

6. Considering the aforesaid submissions made by the respective parties and taking into account the fact that no incriminating article has been recovered from the conscious possession of the petitioner and also considering the period of



custody, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned District & Additional Sessions Judge, Dalsingsarai, in connection with Ujiyarpur P.S. Case No. 55 of 2024, subject to the following conditions:-

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

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

(iv) If the petitioner is 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 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 or in the name of verification.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Samastipur within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

(Sourendra Pandey, J)

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