

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42861 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- SAHEBPUR KAMAL District- Begusarai

Ravi Kumar Yadav @ Ravi Kumar @ Ravish Kumar Son of Rajeev Ranjan Kumar @ Kango Yadav @ Rajiv kumar Ranjan @ Rajeev Yadav R/o Village- Hira Tol, ward no. 2, P.O.- Rahimpur, P.S.- Sahebpur Kamal, District- Begusarai Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the State : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-08-2025 Heard Mr. Sandip Kumar Gautam, learned counsel for the petitioner and Mr. Nawal Kishore Prasad, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 06.02.2025 in connection with Sahebpur Kamal P.S. Case No. 25 of 2025, F.I.R. dated 05.02.2025 for the offences punishable under Sections 191(2), 223, 352, 109(1) of the BNS, 2023 and 25(1-b)a, 26, 35, 27 of the Arms Act.

3. According to prosecution case, the informant along with four other police personnel were standing at Zero Mile Golambar and saw that eight persons over three different motorcycles were going towards village Hiratol from Zero Mile Golambar and on one motorcycle out of three, one middle person was passing by shouting and waving his hand having weapon. When police chased them, one person fired over police Then, the



police caught the persons who had fired upon them but rest of the accused persons fled away from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that it appears from the FIR and seizure list that one country made pistol and two live cartridges have been recovered from the possession of the petitioner and apart from that one mobile phone has also been recovered from possession of the petitioner. There is non-compliance with mandatory procedure prescribed for recovery under Section 100 of Cr.P.C / Section 103 of Bhartiya Nagarik Suraksha Sanhita. The petitioner is in custody since 06.02.2025.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is a habitual offender and carries eight more cases other than the present one but fairly submits on the basis of paragraph 3 of the bail application that the petitioner is on bail in the pending matters and apart from that, recovery has been made from possession of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 learned A.C.J.M.-IV, Begusarai in connection with Sahebpur Kamal P.S. Case No. 25 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 or in the name of verification.

(Rajesh Kumar Verma, J)

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