

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58904 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- Mathurapur District- Samastipur

Rajnish Kumar @ Jyoti aged about 21 years, Male, S/o Raj Kumar Mahto
Resident of Village - Lagunia Raghukanth, P.S. - Samastipur, Muffasil - Dist.-
Samastipur, State - Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mathurapur P.S. Case No. 12 of 2025, dated 19-01-2025,
registered for offences punishable under Sections 310(4), 310(5)
of the *Bharatiya Nyaya Sanhita, 2023* and Sections
25(1-B)a, 26 and 35 of the Arms Act.

3. The allegation is of the recovery of a loaded pistol
with two live cartridges and a mobile phone of Samsung
Company.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that as per the case of



prosecution, seven persons, including the petitioner, were apprehended at the spot. It is next submitted that no incriminating articles have been recovered from the conscious possession of the petitioner. It is also contended that he has been made an accused in this case merely on account of his past criminal antecedents. Lastly, it is submitted that 12 criminal cases are pending against him and he has been in judicial custody since 20.01.2025.

5. Learned Additional Public Prosecutor for the State has opposed the prayer.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Samastipur, in connection with Mathurapur P.S. Case No. 12 of 2025, GR.No. 285 of 2025, Sessions Trial No.233 of 2025 subject to the following conditions:-(i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed 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) that one of the bailors will be his own



blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse (iv) that 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 and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of charge in this case.

7. The application stands allowed.

(Khatim Reza, J)

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