

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49874 of 2025

Arising Out of PS. Case No.-132 Year-2025 Thana- KHAGARIA District- Khagaria

Rajeev Kumar S/o Umesh Sahani R/o Village and Post- Bhadesh South, P.S.-
Gangaur, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyanshu Ranjan, Advocate
For the State : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2025 Heard Mr. Priyanshu Ranjan, learned counsel for
the petitioner and Mr. Bharat Bhushan, learned APP
representing the State.

2. The petitioner is in custody in connection with
Khagaria P.S. Case No. 132 of 2025 for the offence punishable
under sections 25(1-b)a, 26(1) and 35 of the Arms Act, lodged
on 20.04.2025 by the informant, Aniruddh Kumar.

3. As per the prosecution story, the informant alleged
that on 20.04.2025, a Tractor was unloading husk, the petitioner
came and started abusing due to presence of Tractor on the road,
later, he flashed pistol. The villagers anyhow pounced upon him,
Dial 112 was informed, the Police came, arrested alongwith the
country made pistol, which led to the F.I.R.

4. Learned counsel for the petitioner submits that the



villagers only to implicate him assaulted and handed over to Police with a country made pistol, it does not belong to him, he has no criminal antecedent, is in custody since 21.04.2025. Further submission is that if granted relief, the petitioner shall be visiting the concerned Police Station i.e. Khagaria for two hours every morning for one week to clean its campus and at the end of the week shall be planting a sapling in the campus and the photographs/letter of the Station Head Officer showing his presence for a week/planting of sapling shall be filing by way of supplementary affidavit.

5. Learned APP opposes the prayer for bail submitting that not only he created chaos, flashed pistol and threatened the villagers.

6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent, is in custody since 21.04.2025, is only 22 year of age, in that background, this Court is inclined to extend him the privilege of bail subject to the fact that he shall be visiting the concerned Police Station i.e. Khagaria for two hours every morning for one week to clean its campus and at the end of the week shall be planting a sapling in the campus.

7. Let the petitioner be released on bail on furnishing



bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Khagaria P.S. Case No. 132 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. Mr. Bharat Bhushan, learned APP shall be



appearing in this case and he shall also be taking instruction from the Station Head Officer, Khagaria Police Station and inform the Court on the next date of hearing.

9. Let the name of Mr. Bharat Bhushan, learned APP shall be appearing in the cause list.

10. List this case on 12.09.2025 under the heading ‘To Be Mentioned’ when learned counsel for the petitioner shall be supplementary affidavit and learned APP shall be providing report of the Station Head Officer, Khagari Police Station.

(Rajiv Roy, J)

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