

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49761 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- NAKARDEI District- East Champaran

Abhishek Kumar S/O Munna Sah Resident of village- Bhawanipur bazar,
P.S.- Nakardei, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-08-2025 Heard Mr. Manoj Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with Nakardei P.S. Case No. 53 of 2025 for the offence punishable under sections 25(9), 25(1-b)a, 26 and 35 of the Arms Act.

3. The police upon information and during patrolling, intercepted a motorcycle. Though some managed to escape, the petitioner was apprehended and there is/are recovery of country made revolver, live cartridge, knife and mobile. This led to the FIR.

4. Learned counsel for the petitioner submits that he has no criminal antecedent, is a student, has already suffered by being in custody since 19.04.2025 and if granted bail, shall be diligently appearing in trial.



5. Learned APP opposes the prayer for bail submitting that he has been arrested along with the incriminating material.

6. Taking into account the submissions of the parties as also the period of custody, the petitioner has no criminal antecedent and has undertaken to diligently appear in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Raxaul, East Champaran in connection with Nakardei P.S. Case No. 53 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.

(Rajiv Roy, J)

Vijay Singh/-

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