

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51445 of 2025

Arising Out of PS. Case No.-151 Year-2025 Thana- KALYANPUR District- East Champaran

Rakesh Ram, S/o Yodhi Ram, Resident of Village- Siswa Kharar, P.S.-
Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 51453 of 2025

Arising Out of PS. Case No.-151 Year-2025 Thana- KALYANPUR District- East Champaran

Nawal Kishor Sahani, S/o Dilip Sahani, Resident of Siswa Kharar, P.S.-
Kalyanpur, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 51445 of 2025)

For the Petitioner/s : Mr.Kundan Rathore @ Kundan Kumar, Advocate

For the Opposite Party/s : Mr.Anish Chandra, APP

(In CRIMINAL MISCELLANEOUS No. 51453 of 2025)

For the Petitioner/s : Mr.Kundan Rathore @ Kundan Kumar, Advocate

For the Opposite Party/s : Mr.Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-08-2025 Since both the bail petitions arise out of Kalyanpur

P.S. Case No. 151 of 2025, as such, they have been taken up

together and are being disposed of by this common order.

2. Heard learned counsel for the petitioners and

learned APP for the State.

3. In the present cases, the petitioners seek bail in



connection with Kalyanpur P.S. Case No. 151 of 2025, registered on 23.07.2019 for the offence under Sections 25(1-B)a, 26, 25 (9) of Arms Act.

4. As per prosecution case, the petitioners were apprehended with one country made *katta* and a live cartridge each when their houses were raided by the police party.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Nothing incriminating has been recovered from the person/possession of the petitioners. The prosecution story is not believable about the recovery made from the houses of the petitioners. The police did not follow the mandatory provisions of BNSS regarding search and seizure. The petitioner Rakesh Ram is having antecedent of four cases, whereas the petitioner Nawal Kishore Sahani is having clean antecedent. The petitioners are in custody since 29.04.2025 and charge sheet has been submitted.

6. Learned APP opposes the submission made on behalf of the petitioners.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioners and submission of charge



sheet, the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XII, Motihari, East Champaran/concerned court, in connection with, Kalyanpur P.S. Case No. 151 of 2025, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

(i) One of the bailors will be the close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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