

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50880 of 2025

Arising Out of PS. Case No.-81 Year-2024 Thana- DUMARIYA District- Gaya

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Rustam Kumar S/o Late Chhotu Paswan R/o Vill- Mahurao, P.S.-
Chhakarbandha, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Dumariya P.S. Case No. 81 of 2024 instituted for the offences
under Sections 25(1-B)a, 26/35 of the Arms Act.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of being involved in
committing robbery. It is alleged that the police reached at the
place of occurrence and arrested the accused persons including
the petitioner. It is further alleged that on the confessional
statement of petitioner, the police has recovered one country-
made pistol with three live cartridges loaded in magazine as
well as one fired shell from the paddy field.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case merely on the basis of suspicion. The petitioner has not committed any offence as alleged in the F.I.R. He further submits that though the petitioner is named in the F.I.R. but nothing incriminating has been recovered from his conscious/physical possession. The petitioner has one criminal antecedent and is in custody since 29-10-2024. Charge-sheet has been submitted in this case. Other co-accused has been granted bail by this Court vide order dated 03-07-2025, passed in Cr. Misc. No. 40492 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in



connection with Dumariya P.S. Case No. 81 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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