

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56193 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- Jai Bajrang District- East Champaran

Dhiraj Patel S/O Krishna Patel @ Krishna Rai R/O Village- Parsauni Kapoor,
P.S- Kathaiya, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 15-11-2025 Heard Mr. Anil Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with Jai Bajrang P.S. Case No. 21 of 2025 for the offence punishable under sections 313 BNS, Section 25(1-b)a/26/35 of the Arms Act.

3. As per the prosecution story, the Police intercepted and apprehended the petitioner as also one Anil Sahni and the allegation is that while from the pocket of the petitioner beside mobile phone, cash Rs. 5200/- were recovered and from Anil Sahni, pistol with live cartridges were recovered. This led to the FIR.

4. Learned counsel for the petitioner submits that so far as the pistol is concerned, it has been recovered from Anil



Sahni, the Police alleged that the amount which was in the pocket of the petitioner relates to the looting in connection with Jai Bajrang P.S. Case No. 16 of 2025, he has already suffered by being in custody since 13.03.2025.

5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

6. Taking into account the submissions of the parties as also that the recovery/seizure is from Anil Sahni, is in custody since 13.03.2025, 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, Motihari in connection with Jai Bajrang P.S. Case No. 21 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 one year to mark his attendance and at the end of the period, the certificate be submitted to the Court;

(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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