

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64007 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- RATWARA District- Madhepura

Praphull Patel @ Praful Patel S/o Kailash Patel R/o Village- Gangapur Lutna
Tola Ward No 14 P.S- Ratwara, District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

Mr. Pawan Kumar, Adv.

For the State : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 12-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 25(1-b)a, 26, 35 of the Arms
Act.

3. Allegation in the first information report is that one
loaded country made pistol, 28 live cartridges and a mobile
phone was recovered under the pillow of the petitioner.

4. Learned senior counsel for the petitioner submits
that as a matter of fact, no incriminating article was recovered
from the possession of the petitioner and in complete violation
of Section 103 of the B.N.S.S., the present search and seizure
was made and the seizure list was prepared. It has further been
submitted that the name of the petitioner had transpired in



Ratwara P.S. case No. 08 of 2025 lodged under Sections 103 (1) of the B.N.S. and it was only on account of his implication in the said case that he has been made an accused in the present case also. However, it has been submitted that the petitioner has been granted bail by a coordinate Bench of this Court in the other case vide an order dated 18.11.2025 passed in Cr. Misc. No. 72488 of 2025.

5. Learned APP for the State has opposed the application for bail on the ground that the petitioner has several criminal antecedents. In response to which, it has been submitted that most of the antecedents are of the year 2013 to 2018 and only one case was registered in the year 2025 in which the petitioner has already been granted bail.

6. Taking into consideration the facts and circumstances and also considering the fact that the petitioner is in custody since 18.05.2025 and as informed, charges have also been framed in the case on 01.12.2025, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ratwara (Alamnagar) P.S. Case No. 13 of 2025, subject to the conditions that:



(I) One of the bailors would be the family member or relative.

(II) The petitioner would appear physically on each and every date in the learned court below and would cooperate in the conclusion of trial and if the petitioner does not appear on two consecutive dates without any substantial and satisfactory reason, the learned court below would be at liberty to cancel his bail bonds.

(Soni Shrivastava, J)

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