

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84523 of 2025

Arising out of PS. Case No.-250 Year-2025 Thana- BIHARIGANJ District- Madhepura

Rajeev Kumar Son of Suraj Sah Resident of Village- Rajni Tola Naya Nagar,
Ward No. 17, P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s: Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-12-2025 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bihariganj P.S. Case No. 250 of 2025, F.I.R dated 10.06.2025 registered for the offences punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. According to prosecution case, the allegation is that on getting secret information the police party raided the KYP Centre where three persons were standing beside the road on one Apache motorcycle and on seeing the police party they attempted to flee by leaving the motorcycle in course of which one of the miscreants was caught hold and two managed to escape from the spot. On query, the apprehended person disclosed his name as Sunil Kumar Murmu and further disclosed the name



of two persons escaped from the spot as Rajeev Kumar (Petitioner) and Niranjana Kumar and on search one country-made pistol, one live cartridge, one android mobile and one Apache motorcycle were recovered from the possession of Sunil Kumar Murmu.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has been falsely implicated in the instant case on the basis of confessional statement of co-accused Sunil Kumar Murmu from whose possession, one country-made pistol, one live cartridge, one android mobile bearing IMEI-I-861530060272824, IMEI-I-861530060272832, in which Mobile Numbers 9279679540 & 7070754235 were found, and one Apache motorcycle bearing Registration No. BR43AC 8901 were recovered which belong to Sunil Kumar Murmu. It is further submitted that the petitioner has no connection with the seized article or the offence for which the instant First Information Report is said to have been lodged. It is next submitted that the petitioner has no criminal antecedent and is ready to abide by all the terms and conditions imposed upon him for extending the privilege of anticipatory bail. Lastly, it is submitted that he is ready to co-operate in the investigation and he shall not tamper with the evidence.



5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances of the case that the name of the petitioner has transpired on the basis of confessional statement of co-accused Sunil Kumar Murmu from whose possession aforesaid articles have been recovered during the course of raid of KYP Centre. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Uda Kishunganj, Madhepura in connection with Bihariganj P.S. Case No. 250 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner who shall provide official document to



show his 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 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;

(iv) 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.

(Ajit Kumar, J)

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