

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1511 of 2025

Arising out of PS. Case No.-222 Year-2024 Thana- NAWADA MUFFASIL District- Nawada

Rajesh Kumar @ Rajesh Prasad, Son of Late Bhagwan Singh, Resident of
Vill- Chakdaulat, P.S.- Warsliganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Lalit, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 16-06-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Mufas-
sil P.S. Case No. 222 of 2024 instituted for the offences under
Sections 25(1-B)(a), 26 and 35 of the Arms Act. He has two
criminal antecedents.

3. As per the prosecution case, it has been alleged that
the petitioner and one Manoj Singh, who were non-FIR accused
in Mufassil P.S. Case No. 215 of 2024 had made confession
about their involvement and also disclosed about the arms used
in the said case. It is further alleged that on the confession made
by the petitioner and on his indication one country-made re-
volver and two live cartridges were recovered and subsequently
seized. It is also alleged that on the disclosure of another person



namely Manoj Singh one country-made pistol and two magazines were recovered.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and his name has surfaced in the previous case in confessional statement made by the co-accused. It is further submitted that the alleged seizure being made on the confessional statement of the petitioner is false and concocted. It is lastly submitted that though the petitioner is accused in two other cases and he is in custody since 07.07.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that one country-made revolver and two live cartridges have been recovered as such the petitioner should not be released on bail.

6. Considering the aforesaid submissions of learned counsel and taking into account the fact that the petitioner is in custody since 07.07.2024, the petitioner above named, is directed to be released 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 Additional Chief Judicial Magistrate-I, Nawada in connection with Mufassil P.S.



Case No. 222 of 2024, subject to the the following conditions:-

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

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent except two cases of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedents except two cases, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.



7. In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Nawada within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

(Sourendra Pandey, J)

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