

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.943 of 2025

Arising Out of PS. Case No.-126 Year-2024 Thana- DORIGANJ District- Saran

Sanjay Rai Son of Shivji Rai R/o - Balban Tola, P.S - Doriganj, District - Saran (Chhapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-05-2025 Heard Mr. Ghanshyam Tiwary, learned counsel for the petitioner and Mr. Anil Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Doriganj P.S. Case No. 126 of 2024, F.I.R. dated 15.06.2024 for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. According to prosecution case, when the informant along with other police officials went on for patrolling then they got information that the petitioner and other co-accused persons are keeping illegal weapons with them and they might flee away.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the



petitioner is not named in the F.I.R and the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that it appears from the F.I.R and seizure list that the recovery has been made from the possession of the co-accused person, namely, Lal Babu Rai and the name of the petitioner has been transpired on the basis of confessional statement made by the co-accused person and except aforesaid, no other cogent material has come during investigation which suggests the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the petitioner has clean antecedent and the name of the petitioner has been transpired on the basis of confessional statement made by the co-accused person, let the petitioner, above named, in the event of 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 Judicial Magistrate-I, Saran in connection with -Doriganj P.S. Case No. 126 of 2024, subject to the conditions



as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, 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 or in the name of verification.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

U		T	
---	--	---	--

