

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2149 of 2026

Arising Out of PS. Case No.-187 Year-2025 Thana- BUXAR INDUSTRIAL District- Buxar

Rajesh Kumar @ Rajesh Kumar Sharma S/o- Satya Narayan Prasad R/v-
Mirzapur Ps- Kashim Bazar Munger Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 18-02-2026 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner seeks bail in connection with Buxar Industrial P.S. Case No. 187 of 2025 registered for the offences under Sections 310(4) and 310(5) of the Bhartiya Nyaya Sanhita and Sections 25(1-b)a, 25(1-aa)26 and 35 of the Arms Act.

3. As per the prosecution case, the informant has received secret information that certain miscreants had assembled in the house of Dinesh Yadav and they were in possession of illegal arms. A raid was conducted some persons managed to flee, however, two persons were apprehended and they were carrying a bag from which instruments for manufacturing gun was recovered.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated and he has no concern with the recovered arms. It has been submitted that he was present at the place of occurrence i.e. house of Dinesh Yadav and he was not even aware of the arms having been kept there and he has falsely been implicated in the present case. It has further been submitted that similarly situated co-accused have been granted bail by a co-ordinate Bench of this Court. The orders of which have been brought on record by way of Annexure-2 series and one co-accused namely Sunil Poddar has also been granted bail *vide* order dated 09.02.2026 passed in Cr. Misc. No. 5040 of 2026. Lastly, it has been submitted that the petitioner is in custody since 03.08.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the petitioner has one criminal antecedent of similar nature.

6. Considering the facts and circumstances of the case and taking into account the period of custody, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Buxar Industrial P.S. Case



No. 187 of 2025, subject to 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 bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) 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 bonds 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 on in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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