

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8312 of 2026

Arising Out of PS. Case No.-440 Year-2025 Thana- LAURIA District- West Champaran

Raja Kumar Yadav @ Shivam Kumar Yadav S/o Ramayan Yadav Resident of
Village- Mathiya, P.S.- Lauriya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar, Advocate Mr.Sitesh Kashyap, Advocate Mr. Raushan Raj, Advocate
For the Opposite Party/s :		Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Lauriya P.S. Case No. 440 of 2025 registered for the offences
under Sections 25(1-a) and 25(9) of the Arms Act.

3. As per the prosecution case, the informant has
alleged that a video of a young boy firing in air was made viral.
It is further alleged that an information was received that the
boy which was firing was one Durgesh Yadav and the said
Durgesh Yadav was apprehended, who disclosed the name of
one Mithilesh Kumar, who has provided him with the pistol and
he has alleged that he has returned the pistol to Raja Kumar
Yadav @ Shivam Kumar Yadav (petitioner).



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no such revolver has been recovered from his conscious possession. It has further been submitted that in pursuance to the confessional statement of the Durgesh Yadav, the police has conducted a raid in the house of the petitioner and no incriminating article has been recovered from the house of the petitioner. It has next been submitted that the petitioner being an active member of Durga Puja Samiti had been opposing the actions of Durgesh Yadav and only to settle personal score, the petitioner has falsely been implicated in this case. It has lastly been submitted that the petitioner carries clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(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 Lauriya P.S. Case



No. 440 of 2025 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (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 cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned 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.

7. Accordingly, the prayer for anticipatory bail is
allowed.

8. 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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