

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14076 of 2026

Arising Out of PS. Case No.-656 Year-2025 Thana- ARA NAWADA District- Bhojpur

Rahul Kumar S/o Shyambabu Ram R/o Mohalla- Nayatola Rassi Bagan,
Nawada, Ara, P.S - Ara Nawada, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 29-04-2026 Heard Mr. Anil Kumar, the learned counsel for the
petitioner and the learned counsel for the State.

2. The petitioner is apprehending his arrest in connection with Ara Nawada P.S. Case No. 656 of 2025 instituted under Sections 126(2), 115(2), 109(1), 352, 351(2), 3(5) of the BNS and Section 25(1-B)(a), 26, 27 of the Arms Act lodged on 05.10.2025 by the informant Jagdish Yadav.

3. As per the prosecution story, the informant alleged that the petitioner firstly abused and then open fired. Sons of the informant had to run for to save their lives. This led to the FIR.

4. In this case, the case diary is on record and learned



APP submits that as per the investigation, though it is not on record, the statement is that the petitioner has criminal minded and also has criminal antecedent under his belt.

4. Learned counsel for the petitioner with the help of para 3 submits that he has no criminal antecedent and if it is found that the petitioner indeed has criminal antecedent, the order of anticipatory bail, if allowed, may become infructuous. The submission is that only to exaggerate, the firing theory has been added though there is no injury.

5. Taking into account the submissions of the parties as also that there is no injury report, this petitioner has no criminal antecedent, FIR is there and he shall be facing the trial, in that background this Court is inclined to extend him privilege of anticipatory bail.

6. However if it found that the petitioner indeed has criminal antecedent, in that background the order shall become infructuous.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Ara Nawada P.S. Case



No. 656 of 2025 to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) the petitioner shall be appearing before the police station as and when required for cooperating in the investigation;

(iii) 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;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) 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;

(vi) 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.

(Rajiv Roy, J)

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