

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16398 of 2026

Arising Out of PS. Case No.-387 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Nikhil Ray @ Nikhil Rai @ Nikhil Kumar Rai S/o Late Ram Awadh Rai @
Baliram Rai, Resident of Village- Jait Narahva, P.S.- Gopalpur, District-
Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Masoom Rana, Advocate Mr. Aman Kumar, Advocate
For the State	:	Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Kuchaikote P.S. Case No. 387 of 2025, dated
30.08.2025, registered for the offences punishable under
Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per allegation, the police team was on patrolling
and found three persons coming on motorcycle with bag, but on
seeing the police, they fled away leaving behind the motorcycle
and the bag and the police found one country made pistol and
five live cartridges from the bag. In the confessional statement
of co-accused/Vikash Kumar Rai, the petitioner was with him.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the confessional statement made by the co-accused before the police against the petitioner has no legal evidentiary value. Moreover, nothing incriminating material has been recovered from possession of the petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, 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 learned concerned Court Below, in connection with Kuchaikote P.S. Case No. 387 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the



following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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