

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25401 of 2026

Arising Out of PS. Case No.-420 Year-2024 Thana- RAGHOPUR District- Supaul

Rahul Saini S/o Dalchand Saini @ Dalchandra Saini Resident of Bhanpur
Khalsa, P.S- Gajraula, District- Amroha, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aftab Alam Siddiqui, Advocate

For the Opposite Party/s : Mrs. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-04-2026 Heard Mr. Aftab Alam Siddiqui, learned counsel for
the petitioner as well as Mrs. Madhuri Lata, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
13.12.2024 in connection with Raghopur P.S. Case No.
420/2024, Sessions Trial No. 224/2025 F.I.R. dated 14.12.2024
for the offences punishable under Sections 310(4), 310(5) of the
Bharatiya Nyay Sanhita, 2023 and Sections 25(1-B)(a), 26 and
35 of the Arms Act.

3. According to prosecution case, a live cartridge and
a keypad mobile phone was recovered from the possession of
the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and they have falsely been implicated in



the present case. The allegation levelled against the petitioner is false and fabricated. The seizure list witnesses are police personnel and there is non-compliance of Sections 103 and 105 of the BNSS. The co-accused person, namely, Ajay Sirgil has been granted regular bail by the co-ordinate bench of this court vide order dated 11.08.2025 passed in Cr. Misc. No. 48880 of 2025. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 13.12.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application and submits that this FIR has been quashed by the Hon'ble High Court of Allahabad.

6. Considering the aforesaid facts and circumstances and the co-accused person has been granted bail by the co-ordinate bench of this court, let the petitioner, above named, 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 A.C.J.M., Birpur, Supaul in connection with Raghapur P.S. Case No. 420/2024, subject to



the 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)

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