

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18884 of 2026

Arising Out of PS. Case No.-124 Year-2025 Thana- MANIGACHI District- Darbhanga

Rahul Kumar Ray @ Rahul Ray S/o Ram Ray @ Chikoo Ray R/o ward no. 5,
vill - Chanaur, P.S.- Manigachchi, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-04-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 303(2), 62
and 3(5) of the Bharatiya Nyaya Sanhita and Section 25(1-B)a,
26 and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 18-8-2025 at midnight, three accused persons
were trying to commit theft of his buffalo, but on alarm raised
by him, accused started fleeing but Abhishek was apprehended,
who disclosed the name of the petitioner and Pramod as his
accomplice, accordingly police was called and Abhishek was
handed over to the police from whose possession a cartridge



was recovered.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that petitioner was not arrested from the spot and his name transpired in the confessional statement of Abhishek in police custody, which does not have any evidentiary value. It is also submitted that allegation of recovery of cartridge is from Abhishek. It is next submitted that it absolutely does not stand to reason that as to why Abhishek would have been carrying a cartridge, when no gun was recovered, it is thus submitted that it appears that in order to give seriousness to the case, the said allegation is alleged. It is also submitted that if privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks



from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Manigachchi P.S. Case No. 124 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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