

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22500 of 2026

Arising Out of PS. Case No.-895 Year-2023 Thana- MADHEPURA District- Madhepura

Raju Mukhiya Son of Late Bhagvat Mukhiya Resident of Village- Bhirki,
Ward No. 10, P.S.- Madhepura, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 03-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Madhepura P.S. Case No. 895 of 2023, instituted for the offences under Sections 25(1-B)(a), 26 and 35 of the Arms Act, read with Sections 21(c), 22(c) of the NDPS Act and Section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case, in short, is that total two loaded country made pistols have been recovered from the possession of the petitioner and co-accused person. It is further alleged that there is also recovery of 20 bottles of Wiscof cough syrup containing 100 ml each from a Scorpio vehicle.



4. Learned counsel for the petitioner submitted that present case is the case of misuse of privilege of bail earlier granted to the petitioner. Earlier the petitioner was granted bail on by the learned court below. It is further submitted that on 26.06.2024 the bail bonds of the petitioner was cancelled as the petitioner was imprisoned in another case due to which the petitioner was unable to appear in this case and further the petitioner was declared absconder on 19.04.2025 and an order for permanent warrant was passed. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.03.2025 and has got five criminal antecedents. Learned counsel further submitted that petitioner undertakes to abide by any conditions imposed by this Court, if released on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the undertaking given by the petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Madhepura P.S.
Case No. 895 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial and shall not remain absent on two consecutive
dates without sufficient cause.

(III) The petitioner will not tamper with the evidence
or the witnesses during the trial.

(IV) Petitioner shall not commit offence of similar
nature in future.

If any of the above conditions are violated, the Trial
Court shall be at liberty to cancel the bail bonds of the
petitioner.

(Rudra Prakash Mishra, J)

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