

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20571 of 2026

Arising Out of PS. Case No.-3 Year-2017 Thana- KAJRA District- Lakhisarai

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Gopi Yadav S/o Damodar Yadav R/o Village - Lakhna, P.S. - Kajra, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 08-04-2026 Heard the learned counsel for the petitioner and the learned APP for the State.

2. The petitioner apprehends his arrest in connection with Kajra P.S. Case No. 03 of 2017, for allegedly having committed offence under Sections 25(1b)a and 26 of the Arms Act.

3. The prosecution case, lodged on the basis of the written report given by the petitioner himself is that he came to know that one criminal has been caught with pistol and villagers are assaulting him. Upon such information, he reached at the place of occurrence and saw several persons assembled there. On search of the injured person, pistol along with two live cartridges and a dagger was found. The petitioner informed the SHO of Kajra Police Station and handed over the injured as well



as pistol, live cartridges and dagger. With the help of the petitioner, the injured person was taken to hospital in a vehicle and seizure list was also prepared.

4. The learned counsel for the petitioner submits that the petitioner was the informant of this case and later on he was made an accused in the case by the Police with ulterior motive and on the date of occurrence, while the villagers were assaulting one criminal, namely, Saurabh Kumar, the petitioner reached there and on search of said Saurabh Kumar, one pistol with two live cartridges and a dagger was found, which was taken away by the petitioner and handed over to the Police along with the injured Saurabh Kumar, who later on died during course of treatment, for which Kajra P.S. Case No. 04 of 2017 was lodged, in which the petitioner was also made an accused. The learned counsel for the petitioner further submits that the petitioner is an accused in four other cases including Kajra P.S. Case No. 04/2017, in which he is on bail. Further in one case, he has been acquitted and other two cases have been settled by the lok adalat on the basis of compromise. He further submits that the petitioner has been granted bail in Kajra P.S. Case No. 04 of 2017 by a learned Co-ordinate Bench of this Court vide order dated 17.12.2018 passed in Cr. Misc. No. 75086 of 2018. He



further submits that the petitioner came to know recently that he has been made an accused in the present case, since non-bailable warrant of arrest has been issued against him on 10.12.2025 by the concerned Court.

5. The learned APP for the State vehemently opposes the prayer for bail of the petitioner and submits that the petitioner is an accused in four cases, apart from the present case.

6. Having heard the learned counsel for the parties and after going through the records, it appears that the petitioner was the informant of the present case, however during course of investigation he has been made an accused in this case by the Police, although, he had handed over the pistol, live cartridges and dagger to the Police on the same day, but with an ulterior motive, he has been made accused in the present case. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of arrest or surrender within a period of six weeks, 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 Chief Judicial Magistrate, Lakhisarai in connection with Kajra P.S. Case No. 03 of 2017, subject to the conditions as laid down



under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court concerned shall take steps 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.

(Ritesh Kumar, J)

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