

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21017 of 2026

Arising Out of PS. Case No.-970 Year-2025 Thana- GAYA MUFASIL District- Gaya

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Ajit Kumar @ Ajit Das S/o Late Ramdev Das Resident of Hati, P.S.-
Bhelawar (Holuar), District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 970 of 2025 lodged on 19.09.2025, for
the offence punishable under Sections 310(2) & 317(3) of the
Bharatiya Nyaya Sanhita, 2023 and sections 25(1-B)(a), 26 &
35 of the Arms Act.

3. As per the prosecution, FIR has been lodged against
two named accused persons other than the petitioner and four
unknown persons. The recovery of cash and arms have been
made in the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel



submits that the petitioner's name has come in this case by virtue of the confessional statement of the apprehended accused person and nothing has been recovered from the petitioner's possession, rather, he was arrested by the police at subsequent period of time. He submits that the apprehended accused person has been granted regular bail by the Co-ordinate Bench of this Court *vide* order dated 08.01.2026 passed in Cr. Misc. No. 85543 of 2025. He further submits that the petitioner has one criminal antecedent in which he is on bail. Counsel submits that the petitioner is in custody since 05.01.2026 and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that it has been alleged that he was present in the vehicle from which the recovery has been made.

6. It transpires to this Court that under Arms Act, recovery from the conscious possession is required which is not made here and the accused person who was apprehended from the spot has been granted bail by the Co-ordinate Bench of this Court.

7. As such, in the present facts and circumstances of this case, let the above named petitioner be granted bail, on



furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of C.J.M., Gaya, in connection with Muffasil P.S. Case No. 970 of 2025, subject to the conditions as laid down U/s 480(3) of the B.N.S.S., 2023 with further conditions:-

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear before the Trial Court on each and every scheduled date, and failure to do so for two consecutive dates without any plausible reason/explanation shall be resulted into cancellation of his bail bonds by the Trial Court itself.

(Dr. Anshuman, J)

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