

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24311 of 2026

Arising Out of PS. Case No.-66 Year-2026 Thana- RAJNAGAR District- Madhubani

Gulam Nabi @ Md. Gulam Nabi @ MD. Gulam son of Md. Umar Resident of
Village -Chhotaki Gausnagar PS- Rajnagar District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
16.02.2026 in connection with Rajnagar P.S. Case No. 66 of
2026 for the offences punishable under Sections 25(1-B)(a), 26
and 35 of Arms Act.

3. The prosecution case, in brief, is that Vishnudev
Paswan on 15.02.2026 at 11:55 AM along with other police
officials was checking vehicles under Sarvadih Bridge. Tin
Muhani nearby Rampatti, Rati Road. In the meantime, three
persons on Apache motorcycle tried to flee away but caught by
force and on asking, they told their names as Aman Amir,
Gulam Nabi and Md. Danish. From seizure witness, no was one
there and other passerby did accept as witness for which seizure



was done before PTC 262 Sunil Kumar and constable 1103 Satendra Kumar as witness. During searching, one pistol and three live cartridges were recovered from Aman Amit and on asking about documents they did not give sufficient answer for this that pistol and motorcycle bearing Regd. No. BR32AW2585 seized were and nothing was recovered from Md. Danish and Gulam Nabi. It seemed that these three people were going on a deserted road with intention of robbing the passerby by showing them motorcycle and gun.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case and it appears from the FIR and seizure list that nothing has been recovered from the conscious possession of the petitioner and recovery has been made from co-accused person, namely, Aman Amir and one loaded pistol was recovered from the possession of the co-accused person, namely, Aman Amir and three live cartridges were recovered from the pistol in question. Learned counsel for the petitioner further submits that it appears from the FIR and seizure list that there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 16.02.2026.

5. The learned Additional Public Prosecutor for the



State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of one more case other than the present case but fairly submits that petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances that petitioner is a person with clean antecedent and nothing has been recovered from his conscious possession and recovery has been made from co-accused persons, 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 ACJM-I, Madhubani in connection with Rajnagar P.S. Case No. 66 of 2026, 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)

Gaurav Sinha/-

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