

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76050 of 2025

Arising Out of PS. Case No.-196 Year-2025 Thana- KHANPURA District- Samastipur

Shivam Kumar Chaudhary @ Shivam Chaudhri @ Shivam Chodhary @
Shivam Kumar Coudhari S/o Hemanta Kumar Chaudhary @ Hemant Kumar
Chaudhry @ Hemanta Coudhari @ Hemanta Chaudhary R/o Village-
Gayghat, PS- Rosera, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 08-01-2026 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner seeks bail in connection with
Khanpur P.S. Case No. 196 of 2025, registered for the offences
punishable under Sections 25(1-B)(a), 26 and 35 of the Arms
Act.

3. As per the prosecution case, the police conducted a
raid and apprehended the petitioner and on search one
countrymade pistol along with two live cartridges were
recovered.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated on account of personal
dispute with the police officer namely Mukesh Kumar against
whom he had complained to the higher officials. It has also been
submitted that no such recovery has been made from the



conscious possession of the petitioner, in fact, the police has planted such arms. The petitioner is in custody since 11.08.2025. It has lastly been submitted that the petitioner does not have any antecedent however one of the cases which is stated to be against him is again of false implication.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, First Class, Samastipur in connection with Khanpur P.S. Case No. 196 of 2025, subject to the following conditions:

(i) One of the bailors will be a close relative of the petitioner:

(ii) the petitioner will remain present on each and every date fixed by the trial court, if so required by the learned trial court:

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the court concerned:

(iv) 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 bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification;

(v) in view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police Samastipur within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned;

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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