

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75246 of 2025

Arising Out of PS. Case No.-267 Year-2025 Thana- RAMGARH District- Kaimur (Bhabua)

Angad Upadhyay S/O Late Indrajit Upadhyay R/O Vill.- Mathiya, P.S.-
Ramgarh, Dist.- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 24-02-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Ramgarh P.S. Case No. 267 of 2025 for the offence under sections 25(1-B)(a) and 26 of the Arms Act lodged on 01.08.2025 by the informant, Raju Kumar.

3. As per the prosecution story, the informant alleged that in the absence of the petitioner and in presence of two daughters only, the house was raided at 11:00 PM and it is the case of the Police that they recovered a single barrel rifle wrapped in a green towel and upon query, the girls informed that this belongs to their father. When contacted the petitioner, telephonically, he informed that this rifle belongs to him but he do not have any papers. This led to the FIR.

4. Learned counsel for the petitioner submits that at



11:00 P.M., the raid is conducted in his absence, two young girls are present and it is not the case of the Police that the raid was conducted in the presence of any female constables. He submits that in any case, the raid, in midnight, when no male member is present is in the teeth of the law existing in the country. The last submission is that he is having land dispute with his sister-in-law (Vidyawati Kunwar) and on her behest, a case was lodged as would reflect from paragraph-3.

5. Learned APP opposes the prayer submitting that when the Police raided the house, a rifle was seized.

6. Taking into account the submissions of the parties as also that a seizure has been shown in the absence of the petitioner, the antecedent relates to a fight between the family members and an undertaking has been given that he shall be diligently appearing in trial/cooperate in the investigation, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-II, Mohania, Kaimur (Bhabhua) in connection with Ramgarh P.S. Case No. 267 of 2025 subject to the following



conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;

(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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