

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78838 of 2025

Arising Out of PS. Case No.-156 Year-2025 Thana- RAJGIR District- Nalanda

1. Keshav Kumar, S/O Late Sanjay Kumar Singh @ Late Sanjay Singh
 2. Harshit Kumar, S/o Late Uday Singh @ Late Uday Kumar
- Both are residents of village - Naipokhar, P.S.- Rajgir, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikas Kumar, Advocate

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 17-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Rajgir P.S. Case No. 156 of 2025, registered for the offence under Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. As per prosecution case, while investigating Rajgir P.S. Case No. 151 of 2025, a raid was conducted on the poultry farm of co-accused Saurabh Kumar @ Mamu and recovery of one automatic pistol with the magazine and two live cartridges were made. The apprehended co-accused named the petitioners and other co-accused persons, who were involved in the crime committed in Rajgir P.S Case No. 151 of 2025 in which one person was shot dead and the firearm used in the said case was



hidden in the poultry farm.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. In Rajgir P.S. Case No. 151 of 2025, the petitioners have been granted bail by the learned Coordinate Bench of this Court vide order dated 12.12.2025 passed in Cr. Misc. No. 58673 of 2025. From the FIR, it is apparent that no recovery of any incriminating article has been made from the petitioners, who have been made accused in this case merely on confessional statement of co-accused. There is no substantive material to connect the petitioners with any of the offences. The petitioners are in custody since 03.06.2025. Similarly placed co-accused Hariom Kumar has been granted bail by the learned Coordinate Bench of this Court vide order dated 03.12.2025 passed in Cr. Misc. No. 83350 of 2025. The petitioners are having criminal antecedent of one case (Rajgir P.S. Case No. 151 of 2025) and they are on bail in that case. The charge sheet has been submitted.

5. Learned A.P.P. vehemently opposes the submission made on behalf of the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the



completely vague nature of allegation against the petitioners and further considering the submission of charge sheet and period of custody of the petitioners, they are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV-cum-Special Judge (POCSO), Bihar Sharif/concerned court, in connection with Rajgir P.S. Case No. 156 of 2025, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

7. However, before accepting the bail bonds of the petitioners, the learned court below is directed to verify the



criminal antecedent of the petitioners. If it is found that the petitioners have criminal antecedent of other than those mentioned in their submissions, then their bail bonds would not be accepted.

V.K.Pandey/-

(Arun Kumar Jha, J)

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