IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79637 of 2026

CNR No. BRHC011134462026

Arising Out of PS. Case No.-828 Year-2026 Thana- NAWADA District- Nawada

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Ayush Raj Son of Late Ajay Kumar Resident of Village - Bhalua @ Bhalva, Police Station - Nardiganj, District - Nawada.

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Sunil Kumar, Adv.
Mr. Ajeet Kumar, Adv.
For the Opposite Party/s : Mr.Ram Sevak Choudhary, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner as well as learned A.P.P. on behalf of the State.

2. The petitioner has been made an accused in a case registered for the offences punishable under Sections 25(1-B)(a) and 26 of the Arms Act.

3. As per the allegations made in the F.I.R., one pistol along with two empty magazine was recovered from the room of the petitioner.

4. Learned counsel for the petitioner submits that the recovery was made from the bag belonging to the other co-accused and his room partner, namely, Ranjay Kumar. Learned counsel further submits that the petitioner is aged 19 years and

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after completion of his intermediate examination, he has been preparing for recruitment into the Indian Army. It is further submitted that the petitioner has been duly selected for the post of Constable in Indian Army as mentioned in para-11 of the bail application and the admit card in this regard has been annexed as Annexure-2 in the application. Learned counsel further submits that the petitioner has clean antecedent. Learned counsel lastly submits that the petitioner undertakes to cooperate with the trial and not to repeat the offence.

8. The petitioner has been in judicial custody since 10.08.2026.

9. Learned A.P.P. on behalf of the State has opposed the application.

10. Taking into consideration the entire facts and circumstances of the case, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Court of Chief Judicial Magistrate, Nawada or concerned Court, in connection with Nawada Town P.S. Case No. 828 of 2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of the trial.

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(ii) One of the bailors must be a close relative of the petitioner, such as his mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) If the petitioner repeats an offence of a similar nature, his bail bond shall be liable to be cancelled by the Court below after following due process of law.

(v) Before release, the learned Court below shall verify the criminal antecedent of the petitioner and if the petitioner is found involved in any case other than the present one, his bail bond shall not be accepted.

(vi) It is also made clear that there shall be no delay in verifying the criminal antecedents of the petitioner and the delay shall not extend beyond the period of ten days.

(Raj Kumar, J)

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