

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78312 of 2025

Arising Out of PS. Case No.-229 Year-2025 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Rishav Kumar @ Rishav Raj, S/o Mr. Tuntun Singh, R/o Vill.- Bari Eghu,
Ward no. 45, P.S.- Mufassil, Dist.- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate Mr. Purushottam Kumar, Advocate
For the State	:	Mr. Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mufassil P.S. Case No.229 of 2025, dated-26.06.2025 registered for the offences punishable under Sections 8, 20(b)(ii), 22(a) of the Narcotic Drugs and Psychotropic Substance Act and Sections 25(1-B)a, 26, 35 of the Arms Act.

3. As per allegation, there was information that two persons, including the Petitioner armed with pistol are terrorizing the people near Aradhya Peya Jal Water Plant at Eghu, Begusarai and when the police reached there, the accused persons, including the Petitioner started fleeing away throwing



their arms and one illegal fire arm, three cartridges and 7.30 grams of smack was recovered from the roof of the latrine of the community hall.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that at the place of occurrence, the Petitioner was not alleged to have any arms, ammunition or contraband but as per the case of the prosecution, seeing the police, they threw away the same but it is not possible that they can throw such articles on the roof of the community hall. He also submits that the so-called confessional statement made before the police by the Petitioner is not recorded as there is no memo of such recovery nor is there any detailed memo regarding the seizure. As such, the so-called recovery in pursuance of the confessional statement before the police has no legal significance. As such, there is no legally admissible material against the Petitioner on the record. He also submit that charge sheet has already been submitted.

5. He further submits that the petitioner has been languishing in jail since 27.06.2025.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in



seven other cases.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged 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 learned concerned Court below in connection with Mufassil P.S. Case No.229 of 2025 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from



disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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