

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83276 of 2025

Arising Out of PS. Case No.-359 Year-2025 Thana- BUXAR District- Buxar

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Rohit Kumar Yadav @ Rohit Yadav S/o- Shiv Narain Yadav Resident of
Village- Ahirauli, PS- Buxar Industrial Area District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mayuri, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-01-2026 Heard Ms. Mayuri, learned counsel for the

petitioner as well as Dr. Ajeet Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
30.06.2025 in connection with Buxar (Town) P.S. Case No. 359
of 2025, F.I.R. dated 30.06.2025 for the offences punishable
under Sections 25(1-b)a, 26, 35 of Arms Act and Section 111,
112 of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, on secret
information, police reached place of occurrence and
apprehended the petitioner and other co-accused person and
recovered one country made pistol with one magazine in which
four live cartridges.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. It appears from the FIR and seizure list that one country made pistol with one magazine and four live cartridges were recovered from the possession of the petitioner. He further submits that there is non-compliance of Section 100 of Cr.P.C/103 of BNSS and the police after investigation submitted the charge sheet and the petitioner is in custody since 30.06.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the recovery has been made from the possession of the petitioner and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Buxar in connection with Buxar (Town) P.S. Case No. 359 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that 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 bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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