

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84610 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- RAHIKA District- Madhubani

Raju Singh @ Rajeev Singh @ Rajiv Singh Son of Late Yadunandan Singh
Village- Behta PS- Khajauli District -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagandeo Yadav, Advocate
Mr. Ravi Prakash, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 05-01-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. Petitioner, who is in custody, seeks bail in connection with Rahika P.S. Case No. 50 of 2025 registered for the offences punishable under Sections 25(1-b)a, 26, 29, 30 and 35 of the Arms Act.

3. As per the prosecution case, the informant received secret information that one Bechan Saday (co-accused) was dealing in the business of sale and purchase of illegal arms. The police conducted a raid and the said co-accused Bechan Saday was apprehended, who confessed that the another co-accused Ajay Paswan, who had fled from the place of occurrence was the supplier of arms. On search, one country-made pistol, three

iron magazines, two iron-made *katta*, one country-made iron *katta*, and altogether 46 pieces of live cartridges were recovered from the house of the co-accused, namely, Bechan Saday. It is further alleged that the co-accused Bechan Saday disclosed that the arms and ammunition were supplied by Ajay Paswan and occasionally by Raju Singh (the petitioner).

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely because he carries antecedents of similar nature. It has further been submitted that the person from whom the recovery has been made (Bechan Saday) has taken the name of the co-accused Ajay Paswan as the supplier of the arms and ammunition. It has next been submitted that no incriminating article has been recovered from the conscious possession of the petitioner and that the petitioner is a 61-year-old man suffering from various ailments. It has lastly been submitted that the co-accused, Bechan Saday has already been granted bail by a coordinate Bench of this Hon'ble Court vide order dated 01.09.2025 passed in Cr. Misc. No. 34757 of 2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the

parties, let the petitioner, 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 court below where the case is pending/successor court in connection Rahika P.S. Case No. 50 of 2025 subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Madhubani within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned, order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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