

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85708 of 2025

Arising Out of PS. Case No.-527 Year-2025 Thana- GAYA MUFASIL District- Gaya

Manish Kumar Son of Late Kamlesh Paswan Resident of village- Naudiha
Khurd Ps -Wazirganj District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmveer, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 09-01-2026 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner seeks bail in connection with
Gaya Muffasil P.S. Case No. 527 of 2025 dated 02.06.2025,
registered for the offences under Sections 310(4)/310(5) of the
Bhartiya Nyaya Sanhita and Sections 25(1-B)a/26/35 of the
Arms Act.

3. As per the prosecution case, the petitioner along
with others was apprehended with two countrymade pistols and
three live cartridges which was recovered from the motorcycle.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated merely
because he carries four criminal antecedents of similar nature. It
has further been submitted that the allegations of recovery is



false and admittedly the recovery was made beneath the seat of the motorcycle and not from the conscious possession of the petitioner. It has next been submitted that the other two co-accused persons namely Navin Kumar vide order dated 17.09.2025 passed in Cr. Misc. No. 66106 of 2025 and Chandan Kumar vide order dated 09.09.2025 passed in Cr. Misc. No. 60573 of 2025 have already been enlarged on bail by co-ordinate Benches of this Court.

5. The petitioner is in custody since 04.06.2025.

6. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

7. Considering the submissions made on behalf of the parties and taking into account the fact that similarly situated co-accused have been enlarged on bail, the petitioner is directed to be released 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 the learned Chief Judicial Magistrate, Gaya in connection with Gaya Muffasil P.S. Case No. 527 of 2025, subject to the following conditions:

(i) One of the bailors will be a close relative of the petitioner;

(ii) the petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the



bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) 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 bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(v) in view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police Gaya 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.

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

(Sourendra Pandey, J)

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