

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91857 of 2025

Arising Out of PS. Case No.-171 Year-2025 Thana- TAJPUR District- Samastipur

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Ram Naresh Rai Son of Anup Lal Ray Resident of Village- Harpur Bhindi
PS- Tajpur District -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate
For the Opposite Party/s : Mr. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 25(1-b)a, and 26 of the Arms Act.

3. The case of the prosecution is that while the police has gone to apprehend the petitioner who was an accused in the case of Excise Act, it is alleged that he threw a rifle behind his house which was recovered. From perusal of seizure list, it is clear that a rifle was recovered.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from his physical possession. Admittedly the recovery was behind the house of the petitioner not from his house. The witnesses of the seizure list are police personnel and police has not followed Section 105 of B.N.S.S. while preparing seizure list. Moreover, the petitioner is languishing in judicial custody since 21.09.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Tajpur P.S. Case No. 171 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1, Samastipur with the following conditions:-

(i) The petitioner shall cooperate in trial and shall remain physically present in the trial court on each and every fixed date.

(ii) As most of the cases of the petitioner are from



Tajpur Police Station, so, he is also directed to mark weekly attendance at Tajpur P.S.

(Ashok Kumar Pandey, J)

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