

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1086 of 2026

Arising Out of PS. Case No.-126 Year-2024 Thana- DORIGANJ District- Saran

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Raju Kumar Yadav @ Raj Kumar Yadav @ Raju Rai Son of Nand Kumar Ray
Resident of village- Chakiya (Kotwapatti Rampur), P.S- Doriganj, Dist- Saran
at chapra

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-01-2026 Heard Mr. Jeetendra Narayan, learned counsel for the

petitioner and Ms. Asha Devi, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Doriganj P.S. Case No. 126 of 2024, F.I.R.
dated 15.06.2025 for the offences punishable under Section
25(1-b)(a)26 & 35 of the Arms Act.

3. According to prosecution case, 133 live cartridges
marked on its Butt 8 MM KF have been recovered from the
possession of the petitioner and co-accused person, namely,
Lalbabu Rai.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. It appears from the F.I.R. that altogether 135 live cartridges were recovered from the possession of apprehended co-accused Lal Babu Rai and petitioner has been made accused on the basis of confessional statement co-accused Lal Babu Rai and except the confessional statement of co-accused person, no any other material has come during investigation to suggest the involvement of the petitioner in the alleged occurrence and the petitioner was not apprehended at the place of occurrence so nothing has been recovered from the conscious possession of the petitioner and the similarly situated co-accused persons, namely, Manohar Rai has been granted anticipatory bail by a coordinate Bench of this Hon'ble Court vide order dated 22.03.2025 passed in Cr. Misc. No. 72245 of 2024 and Sanjay Rai has been granted anticipatory bail by this Court vide order dated 19.05.2025 passed in Cr. Misc. No. 943 of 2025.

5. Learned APP for the State on the other hand vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three criminal antecedents other than the present one but fairly submits on the basis of



paragraph 3 of the bail petition that the petitioner is on bail in two cases and one case is pending for consideration.

6. Considering the aforesaid facts and circumstances, nothing has been recovered from the conscious possession of the petitioner, similarly situated co-accused persons have been granted bail, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Additional Chief Judicial Magistrate-VIII, Saran at Chapra, in connection with Doriganj P.S. Case No. 126 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other 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 her absence on two consecutive dates without sufficient reason, her 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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