

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.686 of 2026

Arising Out of PS. Case No.-165 Year-2025 Thana- MOHANPUR District- Samastipur

Bipat Rai S/O Doman Rai R/O Village- Hardaspur, P.S- Mohanpur, Distt.-
Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Jyoti Prasad, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-02-2026 Heard Ms. Jyoti Prasad, learned Counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Mohanpur P.S. Case No. 165 of 2025 for the offence registered under sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the prosecution story, the Police upon secret information, caught hold of Ajay Rai and recovered/seized country made pistol. He gave the name of the person who escaped, this included the petitioner. The Police thereafter, lodged the FIR.

4. Learned Counsel for the petitioner submits that only because of criminal antecedent, he has been implicated, nothing has been recovered from his conscious possession and only he has been named by the accused who was apprehended.



5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that he has criminal antecedent.

6. Considering the submissions of the parties as also that the name of the petitioner has cropped up in the statement before the Police by the accused apprehended, FIR is there, he shall be facing the music, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Samastipur in connection with Mohanpur P.S. Case No. 165 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail



bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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