

In the Court of Addl. Sessions Judge, Manjhaul (Begusarai)
B.A No-457/2026

khodawandpur P.S. Case No- 10/2026

In the matter of :

1. Golu Patel, aged about 19 years, s/o- Ashok Mahto
R/o-vill.- Bara, Ward No. 01, P.S.- Khodawandpur, District- Begusarai.
2. Raja Kumar, aged about 21 years, s/o- Suresh Chaudhary
R/o-vill.- Bara, Ward No. 04, P.S.- Khodawandpur, District- Begusarai.

Vs.

State of Bihar

Ld. counsel for the petitioners: Sri Lalitesh Kumar Pathak, Id. Adv.

Ld. counsel for the state: Sri Rakesh Kumar, Id. A.P.P.

Date of Order- 25th April, 2026

Present:-

Sanjay Kumar Singh
Addl Sessions Judge,
Subdivisional Civil Court,
Manjhaul, Begusarai

1. The petitioners namely ***Golu Patel and Raja Kumar*** seek regular bail in connection with Khodawandpur P.S. Case No- 10/2026 registered for the offences punishable under sections 25(1-B)a/26/35 of Arms Act. The copy of same has been served to the Ld. APP for state. Ld. counsels for the party has been exhaustively heard.

2. The case of the prosecution is in written application of one Chandan Kumar A.S.I. who stated that on 02.02.2026 at about 00:10 'O' Clock, he along with other police force proceeded from police station for raid against the accused of Khodawandpur P.S. Case No. 09/2026. In the course of raid, he arrested three accused persons namely Prince Kumar, Golu Patel, Raja Kumar who disclosed that in the last night at 04.00 'O' Clock, they along with one Priyanshu Kumar shot and killed deceased Priyanshu Raj @ Badal. After

that, on the disclosure of them one loaded country made pistol with magazine having two live cartridges and a blank magazine were recovered from a maize and potato field.

3. Learned counsel for the petitioners submitted that these accused petitioners are quite innocent and they have committed no any offence whatsoever alleged in FIR. No any bail application filed earlier either before this Id. court or any court of law prior to this occasion. These petitioners have one criminal antecedent. These petitioners are languishing in jail since 03.02.2026. Mere on surmises the present case was registered by the police with view to put the veil over the chain of circumstances of Khodawandpur P.S. Case No.- 09/2026. Nothing has been recovered from the possession of petitioner Golu Patel whereas one mobile alleged to be recovered from the pocket of petitioner Raja Kumar and said mobile belongs to petitioner Raja Kumar and not used in alleged crime for that confession of accomplice recorded by the police. The petitioners are affable in nature due to this reason were in association with Prince Kumar and arrested by the police on the basis of guided process adopted by the police. On the basis of extra confession of accomplice Prince Kumar name of these petitioners also surfaced in Khodawandpur P.S. Case No. 09/2026 and it not comes under the definition of antecedent. It is alleged by the prosecution that recovery is leading to confession but such confession is not binding upon these petitioners. The recovery might be harmful for the accomplice but such recovery is vindicating for these petitioners. These petitioners were not in contact with any suspect person. These petitioners did not play any role in the commission of assassination of Priyanshu Rai @ Badal hence, may not prosecuted for the recovery of weapon used in said crime. These petitioners are law abiding and having fixed abode so question of absconding after release on bail did not arise at all. The petitioners are ready to furnish bail bond as your honour's order. On these grounds, the Ld. counsel prays that the petitioners be admitted to regular bail.

4. Learned counsel for the state opposed the prayer of regular bail to the petitioners.

5. Heard Ld. counsels and perused the case record. At the outset it be mentioned that the LCR was called for and the same has been annexed with

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the record for perusal. On perusal of FIR, case diary and other material available on judicial record this case was registered for the offences punishable under sections 25(1-B)a/26/35 of Arms Act against the accused persons. The petitioners are named in FIR and on suspicion, police chased and arrested them, and on their disclosure, one loaded country made pistol with magazine having two live cartridges and a blank magazine were recovered from a maize and potato field. As per para-6 (seizure-list) of case diary the arms and ammunition that have seized were not recovered from the possession of the accused petitioners, but rather from a field. As per para-63 of case diary the petitioners having one criminal antecedent, which is connected to this case. All the witnesses of case diary are police personnel. Moreover, as per para-108 of case diary, the investigation of this case is completed, for which a charge-sheet has already been submitted against the petitioners as such there is no chance of tampering with the evidence. The petitioners are in custody since 03.02.2026 more than 2½ months. Hence, considering the facts and circumstances of the case as well as period of custody, I am of the opinion that the petitioners deserve bail. Thus, the petition stands **allowed**, the petitioners are directed to release on bail on furnishing bail bond of Rs. 10,000/-with two sureties of the like amount each to the satisfaction of Id. court below with conditions:-1. The bail bond will be furnished after framing of charge. 2. The petitioners shall extend their complete cooperation in the ensuing trial of the case and shall not indulge in similar nature offence in future.

Dictated

**(Sanjay Kumar Singh)
Addl. S.J., Manjhaul**

Date of Judgment / Order	25.04.2026
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