

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22890 of 2025**

Arising Out of PS. Case No.-513 Year-2019 Thana- NAGAR District- Vaishali

Lalu Sahni @ Chhote Sarkar, aged about 26 years, male, son of Shanichar Sahni, resident of village- Nakhas Chowk, PS- Hajipur Town, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

4      23-07-2025                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Hajipur Town PS Case No.513 of 2019 dated 07.06.2019, giving rise to S. Tr. No.734 of 2024 instituted for the offence punishable under Sections 399, 402, 414/34 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act.

3. Prayer of the petitioner for grant of bail was earlier rejected by this Court vide order dated 09.08.2024 passed in Cr. Misc. No.24525 of 2024. This is the second attempt.

4. Vide order dated 14.05.2025, a report about the present stage of the case was called for from the trial Court which has been received. It appears from the report of the trial



Court that the case is pending for prosecution evidence.

5. The prosecution case, in brief, is that the informant, who was the ASI of Town PS, got information that some miscreants were planning to commit crime in Butan Das Ghat upon which he along with other police personnel reached the place of occurrence. Upon seeing the police, the miscreants started fleeing away. The police team caught six persons and recovered countrymade pistol and live cartridges from their possession. The apprehended persons disclosed the name of the petitioner.

6. Learned counsel for the petitioner submits that the petitioner was not apprehended at the spot. Only on the basis of confessional statement of the apprehended accused, the petitioner has been made accused in this case. Further submission is that the prayer of the petitioner for bail has been rejected only because of his past criminal antecedents. It is further submitted that nothing has been recovered either from conscious possession or from the house of the petitioner. There is no specific overt act against the petitioner. The petitioner is in custody since 18.04.2020 and charge has already been framed on 15.01.2025. Lastly, it is submitted that sixteen cases are pending against the petitioner out of which petitioner is on bail



in fourteen cases.

7. Learned APP has opposed the prayer for bail.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-XI, Vaishali at Hajipur, in Hajipur Town PS Case No.513 of 2019 giving rise to S. Tr. No.734 of 2024, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) that 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 and (v) that the petitioner within two weeks after his release from the custody shall appear before the SHO of local PS along with a copy of this order and thereafter shall appear every fortnightly to mark his attendance till the conclusion of the case.

9. The application stands allowed.

**(Khatim Reza, J)**

J. Alam/-

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