

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47197 of 2025**

Arising Out of PS. Case No.-140 Year-2025 Thana- FORBESGANJ District- Araria

Md. Naiyar @ Sonu Khan S/O Late Ashfaque R/O Village-Garhi Tola,
Haripur, Ward no. 11, PS-Forbisganj, Distt-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Forbisganj P.S. Case No. 140 of 2025 instituted for the offences
under Sections 309(5) of the BNS and 25(1-b)a, 26, 35 of the
Arms Act.

3. Prosecution case, in short, is that the petitioner
along with co-accused Ashish Paswan, attempted to rob the
informant at gunpoint near Rangdaha Mushari bridge. It is
alleged that the villagers caught the petitioner and handed over
to the police. It is also alleged that one country-made pistol was
recovered from the petitioner.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the alleged occurrence. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.03.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Forbisganj P.S. Case No. 140 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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