

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58795 of 2025

Arising Out of PS. Case No.-127 Year-2025 Thana- CHARPOKHARI District- Bhojpur

Sanjay Sah @ Sanjay Saw, S/o Lalan Sah, resident of Village+P.O.- Bihta
English. P.S.- Imadapur Dist- Bhojpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Charpokhri P.S. Case No.127 of 2025 registered for the offences punishable under Sections 109 read with 3(5) of the Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.') and Section 27 of the Arms Act.

3. The accused/petitioner is not named in the FIR and is in custody since 07.06.2025.

4. As per FIR, some unknown miscreants opened fire upon informant, which hit to his right jaw.

5. It is submitted by learned counsel appearing for petitioner that as during course of investigation, the mobile



phone of petitioner was found near to the place of occurrence, on the basis of said suspicion, he was implicated with present case and was arrested from his house. It is submitted that the reason for implication is also arising out of suspicion of criminal antecedents of petitioners, as he found involved in five criminal cases, where he is on bail. It is submitted that except suspicion nothing incriminating transpired during investigation as to connect the petitioner *prima facie* with present crime in question. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as save and except suspicion *prima facie* arising out of mobile locations of petitioner near to the place of occurrence nothing incriminating appears during investigation, coupled with the fact that investigation of this case is already completed, where petitioner remains in



custody since 07.06.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Ara, Bhojpur in connection with Charpokhri P.S. Case No.127 of 2025 subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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