

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63355 of 2025

Arising Out of PS. Case No.-314 Year-2024 Thana- SARAIYA District- Muzaffarpur

Suresh Sahni @ Suresh Kumar Sahni S/o Rajkishor Sahni @ Petu Sahni R/o
Village- Ratanpur Dih, P.S.- Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Amrit Lal, Advocate Mr. Priyesh Kumar, Advocate
For the Opposite Party/s :	Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-09-2025 Heard Mr. Amrit Lal, along with Mr. Priyesh Kumar, learned counsels appearing on behalf of the petitioner and Mr. Shahabuddin Azeem @ S. Azeem, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Saraiya P.S. Case No. 314 of 2024 registered for the offence punishable under Sections 126(2), 115(2), 352, 351(2), 351(3), 3(5) Bharatiya Nyaya Sanhita, Sections 25(1-b)a, 35 Arms Act and Section 37 of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, the petitioner along with other accused, armed with weapon, assaulted the informant.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and he has been falsely implicated in the case. The petitioner is named in the FIR, however, he has denied his complicity with the alleged offence. The informant has disclosed the name of the petitioner due to previous enmity. The recovery of country made pistol has been made from apprehended person namely Pankaj Sahni and not from the petitioner. The petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the recovery of country made pistol has been made from the apprehended person and not from the petitioner. The petitioner is having clean antecedent, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-II,



Muzaffarpur in connection with Saraiya P.S. Case No. 314 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J)

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