

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74251 of 2025

Arising Out of PS. Case No.-251 Year-2024 Thana- TAJPUR District- Samastipur

Sonu Sahani @ Sonu Kumar Sahani S/o Kamal Sahani R/o Village - Bajitpur,
P.S - Patepur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate
Mr. Ritwik Thakur, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Tajpur P.S. Case No. 251 of 2024 registered for the offences
punishable under Sections 310(4), 310(5) of BNS, 2023 read
with Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per prosecution case, one loaded country
made pistol was recovered and upon unloading the same, one
live cartridge was also recovered from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that
petitioner is in custody since 29.11.2024. He further submits that
petitioner bears criminal antecedent of two cases i.e. in Patepur



(Fatehpur) P.S. Case No. 222 of 2020 in which petitioner is on bail and in Jandaha P.S. Case No. 425 of 2024, in which petitioner has not been remanded till date. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Petitioner is quite innocent and has committed no offence as alleged in the FIR and he falsely been implicated in the present case.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner by submitting that one loaded country made pistol was recovered and upon unloading the same, one live cartridge was also recovered from the possession of the petitioner. Hence, petitioner does not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Samastipur in connection with Tajpur P.S. Case No. 251 of 2024, subject to



following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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