

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3682 of 2026

Arising Out of PS. Case No.-318 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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Baleshwar Sahni son of Late Rama Sahani Resident of Village- Akauna, P.S.-
Chiraiya, District-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr.Dhurendra Kumar, Advocate
		Mr.Sumit Kumar, Advocate
		Mr.Sudhanshu Kumar, Advocate
For the Opposite Party/s :		Mr.Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-02-2026 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection

with Motihari Muffasil P.S. Case No. 318 of 2021 registered

for the offences under Sections 412, 413, 414, 467, 468,

120(B) of the Indian Penal Code and Section 25(1-b)a, 26,

35 of the Arms Act.

3. The accused/petitioner is named in the First

Information Report and is in custody since 19.09.2025.

4. As per FIR, upon secret information, as some

persons were assembled to plan some crime, police raided the

spot and apprehended number of accused persons, who found

in possession of country made pistol and some live cartridges.



5. It is submitted by learned counsel appearing on behalf of the petitioner that name of the petitioner transpired on the basis of disclosure made by apprehended co-accused persons namely, Hariom Sahani, in furtherance of which no incriminating material appears recovered from possession of this petitioner as he was not apprehended on the spot. It is pointed out that Hariom Sahani has already been granted bail by one of the learned coordinate Bench of this Court vide order dated 25.05.2022 passed in Cr. Misc. No. 71419 of 2021. It is also submitted that one of the reasons behind false implication is the suspicion arising out of criminal antecedents of the petitioner as he found involved in total eleven (11) cases, where he is on bail in all the cases.

6. While concluding argument, it is submitted that investigation of this case is already concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

8. In view of aforesaid factual submission and by



taking note of the fact as admittedly no fire-arm appears to be recovered from conscious physical possession of this petitioner, where implication appears merely on the basis of suspicion arising out of disclosure made by apprehended co-accused, coupled with the fact that investigation of this case is already concluded, where petitioner remains in custody since 19.09.2025, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari/concerned court, in connection with Motihari Muffasil P.S. Case No. 318 of 2021, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J)

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