

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7539 of 2026

Arising Out of PS. Case No.-805 Year-2025 Thana- GOPALGANJ TOWN District-
Gopalganj

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Mithilesh Kumar Sahani, aged about 19 years, Male, son of Krishna Sahani,
resident of Village- Sallepur (Salehpur), Malahi Tola, P.S.- Bishambharpur,
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Gopalganj Town PS Case No.805 of 2025 dated 27.10.2025,
instituted for the offence punishable under Section 317(5) of the
Bharatiya Nyaya Sanhita, 2023, and Sections 25(1-b)(a) and 26
of the Arms Act.

3. The allegation is of recovery of one loaded
countrymade pistol from the tool box of the motorcycle which
was being used by the petitioner.

4. Learned counsel for the petitioner submits that
nothing has been recovered from the conscious possession of
the petitioner. The petitioner has been implicated in this false



and concocted case by the local police at the behest of his enemies. The motorcycle, in question, does not belong to the petitioner. Charge-sheet has already been submitted in the case. The petitioner is in custody since 28.10.2025 and three cases are pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the CJM, Gopalganj, in Gopalganj Town PS Case No.805 of 2025, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for



cancellation of bail on ground of misuse, (iv) that 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 and (v) that the petitioner within two weeks from the date of his release from custody shall appear before the SHO of his local area along with a copy of this order and thereafter shall appear before him every fortnightly to mark his attendance till the framing of charge in the case by the trial Court.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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