

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6853 of 2026

Arising Out of PS. Case No.-274 Year-2025 Thana- PATEPUR District- Vaishali

Sunil Kumar @ Sunil Kumar Sahni, Son of Arjun Sahni, Resident of Village-
Salempur Salkhani, P.S.- Patepur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur

For the Opposite Party/s : Mrs. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 15-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115, 109, 351(2), 352 of the BNS and Section 27 of the Arms Act.

3. Learned counsel for the petitioner mentioned the case at 10.30 am on the ground that the case be taken up out of turn since petitioner is getting married tomorrow i.e. 16.04.2026 with Kumari Gunja, daughter of Vijay Sahni, residents of Ward No. 4, Shobhepur Dumri, Bujurg Saran.

4. In view of the mentioning made by the learned counsel appearing on behalf of the petitioner, the case was taken up out of turn at 2.15 pm when a supplementary affidavit was



filed bringing the marriage card on record. It is next submitted that petitioner has antecedent of two cases under the Excise Act and in sum and substance, the informant alleges that on 16.08.2025 at about 7.30 pm, he was returning home from a tea shop when petitioner intercepted him and started abusing and when the informant objected, it is alleged that petitioner fired from his pistol and the information was given to the police and the police came and from the place of occurrence empty cartridge was recovered.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation that alleged in the FIR, it would manifest no motive for the occurrence is alleged rather the informant alleges that while he was returning home from a tea shop the petitioner intercepted and fired but then no one was injured in the firing.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that no doubt no one was injured in the firing but then the case has been instituted under the Arms Act and if privilege of anticipatory bail is granted, the petitioner may abscond, on which the learned counsel for the petitioner submits that petitioner will not



abscond rather will cooperate in the investigation to prove his innocence.

7. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Patepur P.S. Case No. 274 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

8. The learned trial court after enlarging the petitioner on provisional anticipatory bail shall seek a report from the concerned P.S. under which Ward No. 04, Shobhepur Dumri, Bujurg Saran falls that as to whether the petitioner got married to Kumari Gunja, daughter of Vijay Sahani or not.

9. It is made clear that if the report confirms the marriage of Kumari Gunja with petitioner, in that event the provisional anticipatory bail bond shall be confirmed, but if the report does not confirm the marriage of petitioner with Kumari Gunja in that event the provisional anticipatory bail bond shall



be immediately cancelled.

10. It is further made clear that if the marriage of the petitioner with Kumari Gunja is confirmed and the provisional anticipatory bail bond of the petitioner is confirmed and, thereafter, if the investigating officer files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation in that event the learned trial court shall be at liberty to cancel the anticipatory bail bond of the petitioner.

(Satyavrat Verma, J)

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