

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11646 of 2026

Arising Out of PS. Case No.-328 Year-2025 Thana- SAHEBPUR KAMAL District-
Begusarai

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Sonu Kumar Son of Fulo Singh @ Phulo Ray R/o Vill.- Banhara, P.S.-
Teghra, Dist.- Begusarai, used to reside at - Pipra, P.S.- Ratanpur, Dist.-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-04-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 310(4), 310(5), 121(1),
121(2), 132 and 109 of the BNS, 2023, Sections 25(1-A)a, 25(1-
AA), 25(1-B)a, 26(i)(ii), 27 and 35 of the Arms Act as well as
Section 30(a) and 30(F) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody
since 16.01.2026 and the informant alleges that on 22.11.2025,
at about 01:05 p.m., he received an information based on which
the informant reached the house of Amit Kumar Gupta where 6-
7 armed criminals had gathered and were planning to carry out
some criminal activity. Further, when the police reached the



place of occurrence, criminals opened fire at the police and started fleeing, as such, the police even had to open firing in which Shivdutt Rai was shot and was arrested and, on inquiry, he disclosed the name of the petitioner and others.

4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is further submitted that petitioner came to be implicated based on the confessional statement of apprehended accused in police custody which does not have any evidentiary value in the eye of law. It is reiterated and submitted that petitioner is a person with clean antecedent.

5. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that allegation is of recovery of 94 litres of Codeine Cough Syrup along with huge quantity of illegal arms like carbine, revolvers, country made pistol and several articles used in manufacture of arms, cash etc. as detailed in the FIR from the house of Amit Kumar Gupta from where the petitioner is alleged to have fled away. It is further submitted that the pleadings made in the regular bail application do not specifically plead as to what the petitioner does for earning his livelihood. It is reiterated and submitted that huge cache of arms was recovered from the place



of occurrence along with Codeine Cough Syrup which off late is being used by children for the purposes of intoxication.

6. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to release the petitioner on bail in connection with Sahebpur Kamal P.S. Case No. 328 of 2025 pending in the Court of learned Exclusive Special Excise Judge-II, Begusarai/Successor Court.

7. Hence, the prayer for bail is rejected.

(Satyavrat Verma, J)

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