

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18370 of 2026

Arising Out of PS. Case No.-177 Year-2020 Thana- BEERPUR District- Begusarai

Chandan Kumar Sah @ Chandan Soni @ Chandan Kumar S/O Naresh Sah
R/O Village- Ghatho, Ward No. 12, P.S- Ghatho, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate

For the State : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-04-2026 Heard Mr. Abhay Kumar, learned counsel for the
petitioner and Mr. Humayou Ahmad Khan, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
18.02.2025, in connection with Birpur P.S. Case No. 177 of 2020,
F.I.R. dated 25.12.2020 registered for the offences punishable
under Sections 25(1-b)a/26/35 of the Arms Act.

3. The prosecution case, in brief, is that ten accused
persons were arrested in a case. On the disclosure by four accused
persons including the petitioner, a raid was conducted in the house
of one Dharmendra Sahani and two country made pistol, one live
cartridge and two empty cartridges were recovered from his house.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the



present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of disclosure made by the apprehended co-accused person, namely, Dharmendra Sahani. It appears from the F.I.R. as well as seizure list that two country made pistol, one live cartridge and two empty cartridges were recovered from the house of co-accused Dharmendra Sahani and except the disclosure made by the co-accused person, nothing has been recovered from the conscious possession of the petitioner. He further submits that similarly situated co-accused person, namely, Rajesh Sahni has been granted bail by a Coordinate Bench of this Court vide order dated 05.12.2022 passed in Cr. Misc. No. 43039 of 2022, another co-accused person, namely, Vivek Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 05.12.2022 passed in Cr. Misc. No. 41524 of 2022, another co-accused person, namely, Pankaj Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 09.03.2022 passed in Cr. Misc. No. 39652 of 2021, another co-accused person, namely, Ram Kumar & Ram Kumar Das has been granted bail by a Coordinate Bench of this Court vide order dated 09.02.2022 passed in Cr. Misc. No. 47881 of 2021, another co-accused person, namely, Michael Soni has been granted bail by a Coordinate Bench of this Court vide order dated 24.01.2022 passed in Cr.



Misc. No. 43694 of 2021, respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 18.02.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries eight more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case and the fact that similarly situated co-accused persons have been granted bail by a Coordinate Bench of this Court, 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 A.C.J.M. VI, Begusarai in connection with Birpur P.S. Case No. 177 of 2020, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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