

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16798 of 2026

Arising Out of PS. Case No.-359 Year-2025 Thana- KALYANPUR District- Samastipur

Pawan Sahni @ Pawan Kumar S/o Kedar Sahani R/o Village- Bhagirathpur,
P.S- Kalyanpur, Dist- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-03-2026 Heard Mr. Shubhesh Pandey, learned counsel for the

petitioner and Md. Aslam Ansari, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
01.11.2025 in connection with Kalyanpur P.S. Case No. 359 of
2025, F.I.R. dated 28.10.2025 for the offences punishable under
Sections 103(1) and 3(5) of the BNS, 2023 and Section 27 of
the Arms Act but later on Sections 25(1-b)a, 26 and 35 of the
Arms Act were also added.

3. According to prosecution case, this petitioner along
with other accused persons abused the informant and her
husband and co-accused, Ram Janm Sahni had fired
indiscriminately upon the husband of the informant resulting
into his death.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Although petitioner is named in the F.I.R but it appears from the F.I.R that the specific allegation of assault and firing is attributed against the co-accused, namely, Ram Janm Sahni. Petitioner is present at the place of occurrence but there is no allegation of assault or firing against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 01.11.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and there is no specific allegation of firing against the petitioner rather the specific allegation of firing is against the co-accused Ram Janm Sahni, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P.S. Case No. 359 of 2025, subject to the following conditions:-

i. 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.

ii. 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.

iii. 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 antecedent, 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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