

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30263 of 2026

Arising Out of PS. Case No.-432 Year-2025 Thana- DALSINGHSARAI District- Samastipur

Tonikant Bharti S/o Late Ram Vilash Singh, Resident of Village - Khanua, P.S
- Vidyapati Nagar, District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Raja Ram Mishra, Advocate
For the State : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-05-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Dalsingsarai P.S. Case No. 432 of 2025, dated 04.11.2025, registered for the offences punishable under Sections 310(4), 310(5) and 310(6) of the B.N.S., 2023 and Sections 25(1-B)(a), 35, 27 and 26 of the Arms Act.

3. As per the prosecution case, information was received about the assembly of criminals who intended to commit some big crime. A raid was conducted and from the identified place, petitioner and other four co-accused persons were apprehended from a car, meanwhile some miscreants fled away on two motorcycles opening fire in air. On search of this petitioner, recovery of two mobile phones were made and from search of other co-accused persons, recovery of fire-arms and



ammunition were made, apart from mobile phones.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Petitioner was not involved in preparation of any criminal act. The Police recovered two mobile phones from the petitioner which were purchased by his younger brother and true copy of the purchase receipt has been annexed in the petition as Annexure-P/2. No incriminating article, fire-arms or ammunition have been recovered from the conscious possession of the petitioner and no case is made out under Arms Act against the petitioner. Learned counsel further submits that petitioner has been made accused in the present case merely on the basis of his previous criminal history as he has nine criminal antecedent. Learned counsel lastly submits that petitioner is in custody since 05.11.2025 and chargesheet has been submitted.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner and submits that petitioner appears to be habitual offender and he has long criminal history.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



submission of chargesheet against the petitioner, his period of custody and also considering the fact that nothing has been recovered from his conscious possession, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-I, Dalsingsarai, Samastipur / concerned Court, in connection with **Dalsingsarai P.S. Case No. 432 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

Shahnawaz/-

U		T	
---	--	---	--

