

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34567 of 2026

Arising Out of PS. Case No.-144 Year-2026 Thana- KHAJANCHI HAT District- Purnia

Sahil Saurav @ Saurabh Sahil Son of Late Brajkishore Yadav @ Buchchan yadav Resident Of Village -Maujampatti, Police Station- Barhara Kothi, District -Purnea Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Kumar Singh
For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 08-07-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with K. Hat P.S. Case No. 144/2026 registered for the offences punishable under Sections 109 of the BNS and Section 25(1-B)a, 26, 27 and 35 of the Arms Act.

3. As per FIR, occurrence of firing took place between the co-accused persons and police in the house which belongs to this petitioner and was under construction.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the house in issue was under construction and was not occupied by this petitioner and when police chased co-accused, he entered into the house of petitioner, from where exchange of firing took place. It is submitted that petitioner is “*mukhiya*” and therefore due to oblique political motive he was implicated with the present crime in question. Arguing further, it is submitted that the arms, which were used to open fire upon police personnel were issued under valid license and, therefore, this is not a case of implication of petitioner for the offence punishable under Arms Act. It is submitted that prior to this case petitioner found



involved in 11 more criminal cases, including two cases of heinous offences related with murder, but after the trial he was acquitted and therefore, he was effectively found involved in 9 criminal cases mostly related with petty issues, where he is on bail.

5. Learned APP while opposing the prayer of bail fairly conceded that the house in issue, where exchange of firing took place was under construction and was not occupied by this petitioner, in terms of FIR.

6. In view of aforesaid factual submission and by taking note of fact as admittedly house in issue, where exchange of firing took place appears prima-facie not occupied by this petitioner as it was under construction, thus by creating a doubt *qua* constructive possession of arms with petitioners, which alleged to be possessed by co-accused persons, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Purnea/concerned Court, where the case is pending in connection with K. Hat P.S. Case No. 144/2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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