IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76003 of 2026

CNR No. BRHC011091482026

Arising Out of PS. Case No.-131 Year-2026 Thana- RAJNAGAR District- Madhubani

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Sonu Sahni S/O Narendra Sahni @ Narayan Sahni R/O Vill.- Lalit, Laxmipur, Ward no. 1, P.s.- Rajnagar, Dist.- Madhubani.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner : Mr. Gagan Deo Yadav, Adv.
Mr. Rajesh Kumar, Adv.
For the Opposite Party : Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Rajnagar P.S. Case No.131 of 2026 registered for the offences punishable under Sections 317(4), 317(5), 111(2) and 111(4) of the Bharatiya Nyaya Sanhita, 2023 (for short 'B.N.S.') and Sections 25(1-b)A/ 26/35 of Arms Act and Sections 20(b)(ii)(a)/22(a) of N.D.P.S. Act.

3. The petitioner is named in the FIR and is in custody since 14.03.2026.

4. As per FIR, co-accused persons including

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petitioner were on their respective motorcycle, alleged to found in possession of Ganja(contraband) and country made pistol.

5. It is submitted by learned counsel appearing for petitioner that no incriminating material like contraband/ganja or country made pistol was recovered from the possession of this petitioner rather it appears to be recovered from other co-accused persons. It is pointed out that the recovered quantity of contraband is 1.630 Kg from the possession of co-accused, which is slightly more than smaller quantity and much less than commercial quantity and, therefore, the rigors of Section 37 of NDPS Act not appears applicable in the present case. While concluding argument, it is submitted that investigation of this case has already been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence. While explaining criminal antecedent, it is submitted that petitioner found involved in two more cases.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

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7. In view of aforesaid factual submissions and by taking note of fact as neither ganja/contraband nor fire arms prima-facie appears to be recovered from the possession of this petitioner coupled with the fact that recovered quantity is less than commercial quantity, wherein investigation of this case has already completed and petitioner remains in custody since 14.03.2026, accordingly, the petitioner, above-named, 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 Principal Sessions Judge, Madhubani, in connection with Rajnagar P.S. Case No.131 of 2026, subject to the conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

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