

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88112 of 2025

Arising Out of PS. Case No.-169 Year-2025 Thana- KALUAHI District- Madhubani

Sagar Devi W/o Ram Kumar Singh R/o Village - Gena Tola Chhatvaniya, P.S.
- Kaluahi, Dist. - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 09-01-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Kaluahi P.S. Case No. 169 of 2025 (G.R. No. 2392 of 2025)
registered for the offences punishable under Sections 25(1-B)a
and 26 of the Arms Act.

3. As per the prosecution case, it is alleged that two
country-made pistols were recovered from an iron drum kept in
the house of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has committed no offence as
alleged in the FIR and he has falsely been implicated in the
present case. It is further submitted that the search and seizure
was not made according to relevant provisions i.e. Sections 103



and 105 of B.N.S.S. It is orally submitted that the house of the petitioner is a joint house and she had no knowledge of the alleged illegal arms purportedly kept at a particular place therein. Hence, petitioner cannot be held liable for the recovery from the joint house. Petitioner being a lady is in custody since 18.09.2025 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, petitioner being a lady having no criminal antecedent, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 C.J.M., Madhubani in connection with Kaluahi P.S. Case No. 169 of 2025 (G.R. No. 2392 of 2025), subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offences in future, the learned trial court shall be at liberty to cancel his bail bond.

(Alok Kumar Pandey, J)

Nilmani/-

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