

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89343 of 2025

Arising Out of PS. Case No.-172 Year-2025 Thana- KHAJAULI District- Madhubani

Pawan Kumar Sahni Son of Laxman Sahni @ Lachman Sahani R/o Vill. -
Kanhauli Mallik Tol Parsa, P.S. -Khajauli, Distt. - Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Pandey, Adv. Ms. Kumari Pallavi, Adv.
For the State	:	Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Khajauli P.S. Case No. 172 of 2025 registered for the offences
punishable under Sections 25(1-B)a, 26 of the Arms Act.

3. As per prosecution case, one country made loaded
pistol was recovered from the petitioner and upon unloading the
same, two live cartridges were also recovered.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR and he has falsely been implicated in the
case. Petitioner is in custody since 09.09.2025. Learned counsel
orally submits that charge sheet has been submitted in the case



and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner bears criminal antecedent of five cases which are not similar to the present case and petitioner is on bail in all the five cases. There is no compliance of Section 103 and 104 of BNSS.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that there is alleged recovery of one country made pistol and two live cartridges from the petitioner and hence, he does not deserve bail.

6. Considering the facts and circumstances of the case, 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 Judicial Magistrate, 1st Class, Madhubani in connection with Khajauli P.S. Case No. 172 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)

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