

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87661 of 2025

Arising Out of PS. Case No.-290 Year-2025 Thana- KHAJANCHI HAT District- Purnia

Sona Babu @ Sona Gupta S/o Late Rajniti Prasad Gupta Resident of Village-
Chakhusaini (Chak Hussaini)Ward No 15, PS- Mansi, District- Khagaria
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate

For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 11-03-2026 Heard Mr. Shekhar Kumar Singh, learned counsel for

the petitioner and Md. Mushtaque Alam, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
01.09.2025 in connection with K. Hat P.S. Case No. 290 of
2025, F.I.R. dated 16.07.2025 for the offences punishable under
Sections 223, 318(4), 338, 336(3) and 61(2) of the BNS, 2023
and 25(1-B)a and 26(1) of the Arms Act.

3. According to prosecution case, this petitioner along
with other accused persons were apprehended during a raid and
several illegal cartridges, arms license book, driving license,
mobile phones, etc were recovered from them. This petitioner
confessed that he had purchased cartridges from the license of
one person who already died in the year 2024.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case only on the basis of suspicion. The petitioner is the valid license holder of arms. As per the allegation in the F.I.R., the petitioner has purchased 50 cartridges from the co-accused, namely, Indrajit Kumar on the basis of license of dead persons. He further submits that the arm dealer namely, Indrajit Kumar should verify the genuineness of the license but he has not done so. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Indrajit Kumar has been granted bail by a co-ordinate Bench of this Court vide order dated 15.11.2025 passed in Cr. Misc. No. 64658 of 2025. The petitioner is in custody since 01.09.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries five criminal antecedents other than the present one but fairly submits that in one case he has been acquitted, in three cases he has been granted bail and one case is pending for consideration before the competent court of law.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing



bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with K. Hat P.S. Case No. 290 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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