

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.300 of 2026

Arising Out of PS. Case No.-311 Year-2025 Thana- BARAULI District- Gopalganj

=====

Ajay Saini S/o Fulchand Saini Resident of Village- Palam, P.S.- Palam, Distt.-
New Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Priya Raj

For the Opposite Party/s : Mr.Pronoti Singh

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 13-02-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Barauli
P.S. Case No. 311 of 2025, instituted for the offences punishable
under Sections 25(1-B)(a), 26, 35 of the Arms Act and Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that one loaded
country made pistol and one live cartridge has been recovered
from co-accused person. It is further alleged that 5.625 liters
liquor was recovered from a car and the petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner also submitted that the petitioner is neither owner nor driver of the car in question. The petitioner has got no concern with the alleged recovery of arms. It is next submitted that the petitioner was a passenger of that car and has got no knowledge with regard to the nature of goods loaded in the vehicle. The petitioner is in custody since 21.09.2025 and has got four criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 28.01.2026 passed in Cr. Misc. No. 4182 of 2026. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that the petitioner was sitting in that car and has been arrested on spot. It is further submitted that the petitioner bears four criminal antecedents. Hence, the petitioner does not deserve the privilege of bail.

6. In compliance of the order dated 19.01.2026, a



report dated 29.01.2026 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that all the prosecution witnesses have been examined in this case and the case is running for the statement of accused persons. It is further reported that the trial is likely to be concluded within a period of one month.

7. There is no new ground to consider the bail petition of the petitioner. From the aforesaid report, it appears that the trial is going on and is at an advance stage.

8. In view of the above, the prayer for bail of the petitioner is again rejected with a direction to the court below to expedite the trial.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

