

In the Court of Motish Kumar Singh Principal Sessions Judge, Siwan
Bail Petition No. 446/2026
Pachrukhi P.S Case No. 41/2026

Surendera Sah S/o- Late Dukh Haran Sah.....Petitioner
Versus
The State of Bihar.....Opposite Party.

26.05.2026

ORDER

1. Learned counsel for the petitioner moves present bail application filed on behalf of the accused-petitioner namely **Surendera Sah**, who is in judicial custody since 28.03.2026 in connection with Pachrukhi P.S. Case No. 41/2026 registered under section 109, 3(5) of BNS and 25(1-B)(i), 26, 27 of Arms Act.
2. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. He further submits that no bail petition has ever been filed on behalf of the petitioner either before this learned Court or before the Hon'ble Higher Courts. Petitioner has two criminal antecedent. Learned counsel further submits that nothing has been recovered from the person and possession of this petitioner. There is no chance of his absconding or tampering with the prosecution evidence. Thus, learned counsel prays that petitioner may be enlarged on bail.
3. On the other hand, learned P.P vehemently opposes the prayer of bail.
4. Heard. Perused the record.
5. From perusal of the record, it transpires that an FIR vide Pachrukhi P.S Case No. 41/2026 was registered on 13.02.2026 u/s 109, 3(5) of BNS along with 25(1-B)(i), 26, 27 of Arms Act against the petitioner along with other co-accused persons. As per fardbeyan, the informant alleged that on 12.02.2026, he came to Bhawani More from his motorcycle and parked his motorcycle in front of his market and went to attend the Barat ceremony in New Kalawati Marriage Hall with his friend Santosh Kumar Singh. It is alleged that two unknown persons riding on a motorcycle came and the persons, who is sitting at rear seat of the motorcycle shot below the right side of chest and fled away towards Siwan Town.
6. From perusal of the record, it transpires that petitioner Surendra Sah was granted provisional bail on 27.04.2026 till 03.05.2026 keeping in view the Tilak and Marriage ceremony of his nephew and in the light of the order dated 27.04.2026,

In the Court of Motish Kumar Singh Principal Sessions Judge, Siwan
Bail Petition No. 446/2026
Pachrukhi P.S Case No. 41/2026

Surendera Sah S/o- Late Dukh Haran Sah.....Petitioner

Versus

The State of Bihar.....Opposite Party.

petitioner was to surrender before the learned Court below on 04.05.2026, but as per report given by learned Court below, the petitioner surrendered before learned Lower Court on 07.05.2026 thereafter he has been remanded to custody.

7. From perusal of report placed on the record by the learned Court below, it appears that petitioner surrendered to the learned Lower Court after delay of three days from stipulated time and he has not complied with direction of this Court. From the aforesaid, it is clear that petitioner has flagrantly misused his provisional bail.

8. Considering the aforesaid conduct of the petitioner, I am not inclined to grant bail to the petitioner, therefore the present bail petition filed on behalf of the petitioner is hereby **rejected**.

(Dictated)

S/d-

(Motish Kumar Singh)

Sessions Judge, Siwan.

26.05.2026