

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49718 of 2015

Arising Out of PS.Case No. -252 Year- 2014 Thana -MINAPUR District- MUZAFFARPUR

Munna Sahani @ Munna Sahni S/o Late Nepali Sahni, Resident of Village -
Dadar, Police Line Chowk, P.S. - Ahiyapur, District - Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 04-11-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Sessions
Trial No. 106/15 arising out of Minapur P.S. Case No. 252 of
2014 registered under Sections 387 and 414 of the Indian Penal
Code and 25(1-B)(a), 26 and 35 of the Arms Act.

According to the prosecution case, the petitioner was
caught by the police while attempting to commit robbery and, on
search, one country-made loaded pistol and one live cartridge
were recovered from his possession.

Taking into consideration the seriousness of the
matter, the application for bail of the petitioner was earlier

rejected by this Court vide order dated 01.12.2014 passed in Cr. Misc. No. 44889/2014 with following observations:-

“Since the petitioner is in custody, the learned Chief Judicial Magistrate, Muzaffarpur is directed to hold the trial on day-to-day basis and conclude the same as early as possible preferably within nine months from the date of receipt/production of a copy of this order failing which the petitioner would be at liberty to renew his prayer for bail.”

It is contended that though the petitioner is in custody since 16.06.2014 till date only four, out of thirteen witnesses, could be examined on behalf of the prosecution.

Taking into consideration the period of custody undergone by the petitioner and the observations made by this Court in the aforesaid order 01.12.2014, the petitioner is directed to 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 the learned 12th Additional Sessions Judge, Muzaffarpur in connection with Sessions Trial No. 106/15 arising out of Minapur P.S. Case No. 252 of 2014.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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