

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31080 of 2016

Arising Out of PS.Case No. -274 Year- 2015 Thana -MINAPUR District- MUZAFFARPUR

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Raj Kumar Sahani @ Raj Kumar Sahni, son of Chulhai Sahani @ Punahari Sahani, resident of Village- Khotha Belahiyan P.S. Tariyani, District Sheohar, Bihar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Chakraplani, Advocate,
Mr. Prabhat Kumar Singh, Advocate,
Mr. Amit Pandey, Advocate

For the Opposite Party : Mr. Sri Uday Pratap Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-09-2016 Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner seeks bail in connection with Minapur P.S Case No. 274 of 2015 registered for the offences punishable under Section 414 of the Arms Act and Section 25(1-B)A/35 of the Arms Act and Section 16, 17, 18, 19, 20, 21 and 23 of U.A.P. Act.

Allegedly, the petitioner and co-accused Sudhir Ram were arrested and on the basis of their confessional statement, police rifle was recovered which was kept beneath the land.

Submission is of false implication and that nothing was recovered from conscious possession of the petitioner, there is nothing on the record to show that from where the said riffle was

looted. The petitioner is suffering in custody since 01.02.2016. The petitioner has got one more case i.e. Bochaha P.S. Case No. 70 of 2015 wherein he has already been allowed bail and, as such, he deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail

In the facts and circumstances stated above, considering the detention of the petitioner further that besides one case, he has no other criminal cases and, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Sessions Judge-cum-special Judge, Muzaffarpur in connection with Minapur P.S. Case No. 274 of 2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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