

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 45398 of 2017

Arising Out of PS.Case No. -316 Year- 2016 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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Kanhai Sah @ Kanhai Kumar @ Kanhaiya Kumar S/o Krishna Sah R/o
Village- Thikaha Mataiya, P.S.- Vaishali, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Manish Chandra Gandhi, Advocate

For the S t a t e : Mr Ajay Kumar-1, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 21-09-2017

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

Petitioner seeks bail in a case registered under
Sections 399, 402, 414/34 of Indian Penal Code and Sections 25,
26, 35 of Arms Act.

The petitioner is said to have been caught by the
Patrolling Team of the Police. Counsel for the petitioner submits
that one country made loaded pistol and three live cartridges are
alleged to have been recovered from the possession of the
petitioner. It is further submitted that the petitioner is in custody
since 07.12.2016 in connection with this case. The other co-
accused have been granted bail in the instant case as is evident
from Annexure 3, the order dated 04.05.2017 passed in Cr Misc



No 20522 of 2017 and Annexure 2, the order dated 10.05.2017 passed in Cr Misc No 15095 of 2017.

Considering the aforesaid submissions, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in Vaishali (Belsar OP) Police Station Case No 316 of 2016 subject to the following conditions:

- (i) *That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.*
- (ii) *That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.*
- (iii) *That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.*

(Madhuresh Prasad, J)

M.E.H./-

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