

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17647 of 2017

Arising Out of PS.Case No. -70 Year- 2016 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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Dular Sahani S/o late Bijali Sahani Resident of Village- Katgenwa, P.S.
Adapur, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Matloob Rab, APP

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 23-05-2017 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Adapur P.S. Case No. 70 of 2016 registered for the offence
punishable under section 414 of the Indian Penal Code and
section 25 (1-b)A/26/35 of the Arms Act.

Supplementary affidavit has been filed on behalf
of the petitioner disclosing further criminal antecedent of the
petitioner. Let it be kept on record.

Allegedly the petitioner was apprehended when
he was trying to flee away and from his possession, one
country-made katta loaded with one live cartridge and four



more live cartridges were recovered.

Submission is of false implication and that the petitioner has been made victim of the circumstances without any fault, he is suffering in custody since 31.05.2016.

For recovery of boy, another case has been lodged and without any fault, the petitioner is suffering in custody and now he deserves sympathetic consideration.

Learned APP opposes the prayer of bail, but fairly submits that now the petitioner has remained in custody for about one year.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Adapur P.S. Case No. 70 of 2016, subject to the conditions that one of the bailors must be a 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



petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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