

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38514 of 2017

Arising Out of PS.Case No. -84 Year- 2016 Thana -MUSRIGHARARI District- SAMASTIPUR

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Rakesh Sahani, Son of Ashok Sahani, R/o Village Dadanpur, P.S. Halaie,
O.P. Tajpur, Dist. Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Choudhary

For the Opposite Party/s : Mr. Sri Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking regular
bail in connection with Musarigharari P.S. Case No.84 of 2016,
registered for offences alleged under Sections 25(1-B)a, 26, 35 of
the Arms Act.

Learned counsel for the petitioner submits that the
allegation against the petitioner is that of possessing two country
made pistols with live cartridges, however the petitioner is in
custody in the present case since 16.07.2016 i.e. about for 13
months by now. In view of the period of custody already spent by
the petitioner, learned counsel submits that this petitioner may be
enlarged on bail subject to such conditions which may be imposed



by this Court.

Learned APP though opposed the prayer for bail, but accepts the passion that the petitioner has already spent 13 months in custody.

Considering the facts and circumstances of the case, let the petitioner, namely, Rakesh Sahani be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Samastipur in connection with Musarigharari P.S. Case No.84 of 2016, subject to the conditions that one of the bailors of the petitioner would be a family member having no criminal antecedent and sufficient immovable property in the jurisdiction of the court below and that the petitioner shall cooperate in the trial by putting his appearance or representation as the case may be on the date fixed in the matter. Any two regular defaults in appearance in course of trial would lead to cancellation of bail bond of the petitioner.

(Rajeev Ranjan Prasad, J)

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