

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34089 of 2017

Arising Out of PS.Case No. -88 Year- 2016 Thana -PAROO District- MUZAFFARPUR

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Hari Sahni @ Harendra Sahni, son of Rameshwar Sahni @ Surkhi Sahni,
resident of village Hirapur, P.S. Paroo, Distt. Muzaffarpur at present
resident of B-9/72, Sector-4, Rohni, Awantika, Rohini Sector-7 North, West
Delhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 20-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Paroo P.S. Case
No. 88 of 2016 instituted for the offence under Sections 25 (1-b)a, 26,
35 of the Arms Act and Sections 3/4 of Explosive Substance Act.

It has been submitted on behalf of the petitioner that there
is no recovery from his possession. There is allegation that arms have
been recovered from the house of Maina Devi who is the wife of
petitioner.

It is mentioned in the complaint petition filed by the
complainant, Harifan Sahni (petitioner in the instant case) vide
Complaint Case No. 576 of 2016, that Suresh Ram had come about half
an hour ago and were making pressure to keep the arms in the house. It
has been submitted that the petitioner is living in Delhi and he has no
concern with the arms recovered in question.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Paroo P.S. Case No. 88 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri A.K. Singh, Judicial Magistrate, 1st Class, Muzaffarpur, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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