

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28387 of 2019

Arising Out of PS. Case No.-86 Year-2018 Thana- KALYANPUR District- East Champaran

DEENA SAHANI @ DINA NATH SAHANI Son of Late Bipat Sahani @ Vipati Sahani Resident of Village - Jhakhiya, P.S.- Banjariya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma Sr. Advocate
Dr. Bipin Chandra, Advocate.
For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-05-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Kalyanpur P.S. Case No. 86 of 2018**, instituted for the offence under Section(s) 414 of Indian Penal Code, Sections 25(1-b)a, 26 and 35 of Arms Act.

It is alleged in the written report that one loaded country made pistol has been recovered from possession of the petitioner.

Counsel for the State submits that petitioner has criminal antecedent.

It is mentioned in paragraph-3 of the bail petition that 19 other cases are pending against the petitioner. Counsel for the petitioner submits that petitioner is on bail in all those cases.

Counsel for the petitioner submits that petitioner is in custody since 27.5.2018. He further submits that other co-accused



have already been granted bail by coordinate Benches of this Court vide orders dated 5.4.2019 and 30.4.2019 passed in Cr. Misc. 11714 of 2019 and 27011 of 2019 respectively.

Keeping in view the period spent by the petitioner in custody, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Motihari, East Champaran**, in connection with **Kalyanpur P.S. Case No. 86 of 2018**, subject to the condition that both the bailors will be close relatives of the petitioner with further conditions which are as follows:

(i) Petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court (ii) In absence on two consecutive dates without any valid reason, the bail bonds of the petitioner will liable to be cancelled and (iii) if petitioner tampers with the evidence or the witnesses of the case, in that event, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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