

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63417 of 2019

Arising Out of PS. Case No.-64 Year-2019 Thana- MOUZAHDIPUR District- Bhagalpur

SUNNY SAH @ CHIRANJEEV KUMAR SAH Son of Dilip Sah @ Dilip Kumar Sah Resident of Maheshpur Shikchhak Nagar Colony, P.S.- Mojahidpur (Babarganj), Distt - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 21-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 149, 323, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act, registered in connection with Mojahidpur (Babarganj) P.S. Case No. 64 of 2019.

3. It is submitted that the petitioner has been falsely implicated and in any event it is apparent from perusal of the FIR itself that the allegation of carrying a pistol has been attributed only to co-accused Amit Sah. It is, therefore, submitted that the accusation under the Arms Act is not attracted as concerns the petitioner. The penal



Sections are bailable in nature. The petitioner is on bail in two prior cases, in which he is accused.

4. Be that as it may, in the event of petitioner's arrest or surrender before court below within six weeks from the date of communication of this order, let the above named petitioner 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 A.C.J.M.-9th, Bhagalpur in connection with Mojahidpur(Babarganj) P.S. Case No. 64 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present



in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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