

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67345 of 2019**

Arising Out of PS. Case No.-333 Year-2019 Thana- AMARPUR District- Banka

SANNI MIAN @ MD. SAHANWAJ Son of Datto Mian Resident of Village -
Garibpur, P.S.- Amarpur, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bibhuti Narayan
For the Opposite Party/s : Mr.Rajendra Nath Jha

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER**

2 06-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 429 and 295A/34 of the Indian Penal Code, including Section 27 of the Arms Act, registered in connection with Amarpur P.S.Case No.333 of 2019.

3. It is submitted that the petitioner has been falsely implicated on the accusation of having shot and killed three monkeys. It is submitted that in any event the ingredients of the offence under Section 295A IPC are not attracted. Specific statement has been made in paragraph 9 of the petition that the post mortem reports of the deceased monkeys do not disclose fire-arm injury, which, therefore, does not corroborate the accusation under the Arms Act. The petitioner claims clean antecedents.

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 Chief Judicial Magistrate, Banka in connection with Amarpur P.S.Case No. 333 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) 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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