

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79259 of 2018

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

Khedu Sahani Son of Ganesh Sahni Resident of Village -Chintamanpur,
Jhataha, P.O. and P.S.- Pipra, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Matloob Rab

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 18-01-2019 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Kalyanpur P.S. Case No. 86 of 2018 registered under Section
414 of the Indian Penal Code and Section 25(1-b)a, 26, 35 of the
Arms Act.

Three motorcycle borne persons are said to have
been apprehended by the police and from possession of the
petitioner one mobile phone while from his companion, namely,
Dinanath Sahni one loaded country made pistol were recovered.

It is submitted by learned counsel for the
petitioner that petitioner is quite innocent and has committed no
offence. No incriminating article has been recovered from



conscious physical possession of the petitioner. He has no concern with the seized arm. Petitioner had no knowledge of keeping of country made pistol by Dinanath Sahni and he has no concern with him. He had simply taken lift from the aforesaid motorcyclist on the way and was unfortunately apprehended by the police along with the aforesaid person. He has been languishing in custody since 27.05.2018.

Learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 9th, Motihari, East Champaran in connection with Kalyanpur P.S. Case No. 86 of 2018.

(Prakash Chandra Jaiswal, J)

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