

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) NO. 2481 OF 2019**

**Arising out of PS Case No.-4 Year-2017 Thana-Sahebganj District
Muzaffarpur**

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Ajay Sahni Son of Vishwanath Sahni Resident of Village- Rajwara, P.S.
Sahebganj, District- Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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With

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**IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 4783 of 2020**

(Arising out of Criminal Appeal (S.J.) No. 2481 of 2019)

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Ajay Sahni, aged about 35 years (Male), son of Vishwanath Sahni, resident of
Village Rajwara, P.S. Sahebganj, District-Muzaffarpur.

---- Applicant

Versus

The State of Bihar

----- Opp. Party

Appearance (in both the cases) :

For the Appellant/s : Mr. Ranjan Kumar Singh, Adv.

For the Respondent/s : Mr. Bipin Kumar

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER**

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21.04.2020

Cr. Misc. No. 4783 of 2020

Heard learned counsel for the parties.

This application has been filed for restoration of
Cr. Appeal (S.J.) No. 2481 of 2019 to its original file
which was dismissed for default on account of non-
compliance of the preemptory order dated 27.08.2019.



For the reasons mentioned in this application, the prayer made therein is allowed and the Cr. Appeal (S.J.) No. 2481 of 2019 is restored to its original file.

Accordingly, Cr. Misc. No. 4783 of 2020 is disposed of.

Cr. Appeal (SJ) No. 2481 of 2019

Heard learned counsel for the parties.

The appeal is admitted.

Call for the Lower Courts Record from the court of learned Additional Sessions Judge-VI, Muzaffarpur in connection with Sessions Case No. 685 of 2017 which has been disposed of vide judgment of conviction dated 25.4.2019 and order of sentence dated 30.4.2019 whereby and whereunder the appellant has been convicted under Section 392, 397 of the Indian Penal Code and Section 27 of the Arms Act and for the offence under Section 392 IPC, he has been sentenced to undergo rigorous imprisonment for five years with a fine of Rs. 5000/- and in default payment of fine, he has to undergo further six months. For the offence under Section 397 IPC, he has been sentenced to undergo rigorous imprisonment for seven



years and for the offence under Section 27 of the Arms Act, he has been sentenced to rigorous imprisonment of three years with a fine of Rs. 3000/- and in default of payment of fine, he has to suffer further imprisonment for two months. The sentences have been order to run concurrently.

In this case, an interlocutory application bearing I.A. No. 1 of 2020 has been filed for provisional bail of the appellant for performing the last rights and rituals of his wife who has died on 13.04.2020.

The appellant is in jail since 17.05.2017.

For the present, the appellant is granted provisional bail for a period of six weeks in connection with Sessions Case No. 685 of 2017 to the satisfaction of Additional Sessions Judge-VI, Muzaffarpur.

Since the country is presently under a lockdown situation because of the Novel Coronavirus Pandemic and all of us are maintaining social distancing, considering the hardship which the appellant may have to face in arranging the sureties, this Court has taken a view to grant provisional bail on personal bond of the



appellant for a period of 6 (six) weeks.

After the period of aforesaid six weeks, the appellant will surrender before the court below and, accordingly, a certificate to this effect will be filed before this Court whereafter, the prayer for permanent bail of the appellant will be considered on its merit after examining the Lower Courts Record.

I.A. No. 1 of 2020 stands disposed of.

(Shivaji Pandey, J)

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