

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.29226 of 2020**

Arising Out of PS. Case No.-66 Year-2014 Thana- MANIYARI District- Muzaffarpur

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TUNNA SAHNI S/o Ram Shabd Sahni Resident of Village-Jalalpur Bhoraha,
P.S.-Goraul (Kathara-OP), District-Vaishali at Hajipur Petitioner
Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Anish Chandra, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 11-11-2020 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Dilip Kumar No. 1, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Maniyari P.S. Case No. 66 of 2014 registered for the offences punishable under Section 414 of the Indian Penal Code and Sections 25(1-b)A, 26, 35 of the Arms Act.

Learned counsel for the petitioner submits that the name of the petitioner has transpired in this case in the statement of the apprehended accused. It is alleged that he was involved in the theft of the two buffaloes.

Learned counsel for the petitioner submits that so far as this petitioner is concerned, he is a labourer and is engaged in work at Delhi. He came from Delhi during the lockdown period due to



Covid-19 and has been arrested in connection with this case. He is in custody since 30.05.2020, he was not caught on the spot and no incriminating article has been recovered from his possession.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering the entire facts and circumstances of the case and that there is no recovery of any firearm from this petitioner, his name has transpired as one of the persons involved in theft of the buffaloes but the buffalo was recovered from the pickup van with the driver of the pickup van and the petitioner has remained in jail in connection with this case for almost six months by now, let the petitioner above-named be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of Sri Rohan Ranjan, J. M. Ist Class/successor court, Muzaffarpur in connection with Maniyari P.S. Case No. 66 of 2014, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to



the Court or to any Police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

