

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30195 of 2020

Arising Out of PS. Case No.-52 Year-2020 Thana- DARBHANGA SADAR District-
Darbhanga

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AMAR KUMAR SAHNI Son of Mohit Sahni, Resident of Village-
Jagdishpur, P.S.- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha
For the Opposite Party/s : Mr.Dilip Kr. No.1

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-11-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within three
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 399, 402 of the Indian Penal
Code and Sections 25 (1-b)a, 26/35 of the Arms Act.

The allegation against the petitioner as per the FIR is



that police on the basis of secret information proceeded towards the place of occurrence and upon seeing the police party miscreants assembled there tried to flee away and on chase five persons including the petitioner were apprehended and from the possession of the petitioner one country made pistol and one cartridge have been recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is in jail custody since 06.02.2020. The similarly situated co-accused have been granted bail by the Co-ordinate Benches of this Court vide order dated 04.06.2020 passed in Cr. Misc. No. 18601/2020 and dated 05.06.2020 passed in Cr. Misc. No. 18667/2020. He further submits that the five accused persons were apprehended at the place of occurrence in which four were granted bail by this Court.

Learned APP for the State opposes the prayer for bail petition.

In the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each in connection with Sadar (Mabbi O.P.) P.S. Case No. 52/2020 to the satisfaction of the



learned Chief Judicial Magistrate, Darbhanga, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) 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 reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) 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.

(Anjani Kumar Sharan, J)

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