

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.13221 of 2021**

Arising Out of PS. Case No.-128 Year-2020 Thana- MUSAHARI District- Muzaffarpur

SANJAY SAHANI @ SNAJAY KUMAR S/o Satan Sahani Resident of  
Village- Bedauliya, P.S.- Mushahari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Chandra Shekhar Anand, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD  
ORAL ORDER**

2      23-07-2021                      In view of sudden resurgence of COVID-19 infection  
  
there is limited functioning of the High Court and therefore the  
  
matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the  
learned APP for the State.

This Court would expect that the petitioner's Counsel  
would honour his undertaking in the instant proceedings  
regarding supply of requisite court fee etc. within two weeks  
from the date he is called upon to do so by the office.

Petitioner seeks bail in Mushahari PS Case No. 128 of  
2020, registered under Sections 414 of the Indian Penal Code  
and Sections 25(1-b)a/26 and 35 of Arms Act.

There is alleged recovery of a country made pistol of  
7.65 mm.



Allegation is that petitioner has been apprehended during evening patrolling duty by the police.

Learned counsel for the petitioner submits that this is a case of false implication. Petitioner has no concern with the recovered arms. He was moving on his own motorcycle which stands registered in his name and under such circumstances, having no criminal antecedent, he is in custody since 30.07.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 10, Muzaffarpur, in Mushahari PS Case No. 128 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his



bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

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