

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14804 of 2021**

Arising Out of PS. Case No.-124 Year-2019 Thana- JANDAHA District- Vaishali

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VIJAY SAHANI @ RAJA SAHANI Son of Late Ram Dhani Sahani Resident
of Village- Dih Buchauli, P.S.- Jandaha, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Adv

For the Opposite Party/s : Mr. Anil Kr., APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-08-2021 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 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 connection with Jandaha P.S.

Case No. 124 of 2019 registered under Section 13(i)(a)(b) of the

U.A.P.A Act and Section 25(1-B)A, 26 and 35 of the Arms Act.

An Assembly of so called antisocial elements has led



to a raid being conducted by the police party. All have fled away excepting two persons, namely Rohit Sahni and Sonu Sahni from whom there is alleged recovery of arms and ammunition. They have disclosed the petitioner's name along with several others as being members of the unlawful assembly which was convened for the purpose of levying and realising money by spreading terror in this society.

The learned counsel for the petitioner submits that petitioner's implication is on basis of confessional statement of co-accused recorded in police custody. The apprehended co-accused Rohit Sahni and Sonu Sahni have since been allowed bail by this Court in Cr. Misc. no. 59033/2019 and Cr. Misc. no. 71828/2019 respectively and several other co-accused have since been allowed bail. After his surrender, the petitioner was remanded in this case on 21.1.2020 and since then continuing to be in custody.

Learned APP has opposed the prayer for bail.

Having regard to the annexure 2 of the order passed by the learned A.D.J. rejecting the petitioner's prayer, he is not in a position to dispute the fact that bail has been allowed to co-accused Rohit Sahni and Sonu Sahni.

Considering the rival submissions as also the facts and



circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. 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 C.J.M., Vaishali at Hajipur in Jandaha P.S. Case No. 124 of 2019, 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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