

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 7423 of 2021

Arising Out of PS. Case No.-570 Year-2020 Thana- BAGHA District- West Champaran

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BECHU SAHANI SON OF RAMAKANT SAHANI @ RAMAKANT
CHAUDHARY RESIDENT OF VILLAGE- SIKATIYA, BINWALIA, P.S.-
SEMRA, DIST.- WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Binod Kumar Mishra, Advocate
For the Opposite Party/s : Mr Mithilesh Kr Khare, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 29-06-2021 This case has been taken up today for consideration
through Video Conferencing.

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

The petitioner seeks bail in Bagha (Patkhauli) Police
Station Case No 570 of 2020 instituted for the offence
punishable under Sections 25 (1-b) a, 26, 35 of Arms Act.

On seeing the police party, persons started fleeing
away. At the instance of 5 persons, the instant petitioner has
been apprehended and from his possession, it is alleged that
there is recovery of a country made pistol, live cartridge, mobile
phone and cash of Rs 4,000/-.

It is submitted by the petitioner's counsel that it is a



case of false implication. The petitioner is in custody now since 03.10.2020. He is on bail in Semra PS Case No 1913 of 2013, pending against him since before. The recovery is not in accordance with Section 100 of Criminal Procedure Code.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Bagha, West Champaran in Bagha (Patkhauli) PS Case No 570 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today



for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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