

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8899 of 2021

Arising Out of PS. Case No.-156 Year-2020 Thana- BHAGWANPUR District- Vaishali

GARIBNATH SAHNI @ GARIBAN SAHNI S/O LATE MATAR SAHNI
RESIDENT OF VILLAGE RAMMATH, P.S-VAISHALI (BELSAR O.P),
DISTRICT-VAISHALI, AT PRESENT RESIDING AT HOUSE NO.254/5,
FRIENDS COLONY, SECTOR-20, SECTOR-16A, FARIDABAD,
SECTOR-16A, HARYANA

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Dilip Kumar Roy, Advocate Mr. Apurva Kumar, Advocate
For the Opposite Party/s :	Mr. Kalyan Shankar, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-07-2021

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 Bhagwanpur PS Case No. 156 of 2020 registered under Sections 25(1-B)a, 26 of the Arms Act.

One country made katta with .315 bore live cartridge has allegedly been recovered from the petitioner.

It is submitted by learned Counsel for the petitioner that the petitioner has falsely been implicated in this case. The



petitioner after his arrest in this case has been remanded in two other cases and prior to the instant case there was no criminal antecedent of the petitioner. Counsel submits that the recovery is not in accordance with law and the petitioner is in custody since 6.7.2020.

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 ACJM Ist Vauishali at Hajipur in Bhagwanpur PS Case No. 156 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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