

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9945 of 2021

Arising Out of PS. Case No.-115 Year-2019 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Laxman Sahni @ Ramkshman Sahni S/O Harekishun Sahni @ Harikishun
Sahni R/O Village Sripur, Karor, Ward Number 12, Police Station Cheria
Bariyarpur, District Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 13-07-2021 Heard learned counsel for the petitioner and
learned A.P.P for the State through video conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Cheriya Bariayarpur P.S.
Case no. 115 of 2019 registered under sections 307, 414, 353
and 34 of the Indian Penal Code and sections 25(1-B)(a), 27 and
35 of the Arms Act.

As per allegation in the F.I.R., on receiving
information that petitioner was present with arms and
ammunitions beneath a bridge, a raid was conducted. It is stated
that the petitioner was caught and a loaded country made pistol
with three live cartridges was recovered from his possession and
on information provided by him a country made rifle, a live



cartridge and a motorcycle was recovered from another place.

It is submitted by learned counsel for the petitioner that he has been falsely implicated in this case because of his antecedents. No incriminating article has been recovered from his possession or on information given by him. He is in custody since 20.7.2019.

The application for bail is opposed by learned A.P.P. for the State who submits that besides arms and ammunitions as also motorcycle being recovered from the petitioner, the petitioner is an accused as many as six cases. It is submitted that the trial in the case has already commenced.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody for about 2 years i.e since 20.7.2019, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Sessions Trial no.591 of 2019 (arising out of Cheriya Bariayarpur P.S. Case no. 115 of 2019) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Begusarai.

In view of the fact that the trial in the case has



commenced it is directed that the petitioner shall remain personally present in the Court on each date of trial and in case of the petitioner’s absence on any date for reasons not to the satisfaction of the learned Court below or if in the opinion of the learned Court below, the petitioner is not cooperating in the trial, the learned Court below will be at liberty to cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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