

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11154 of 2021**

Arising Out of PS. Case No.-99 Year-1996 Thana- MUSAHARI District- Muzaffarpur

Prem Lal Sahni @ Nandan Sahni Son of Late Dourik Sahni, Resident of
Village - Dumari, P.S.- Mushahari, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate
For the Opposite Party/s : Smt. Meena Singh, APP

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

2 07-07-2021 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 P.S. Case No. 99 of
1996 registered for offence punishable under sections 147, 148,
149, 379/120(B) of the Indian Penal Code and section 27 of the
Arms Act and 3/4 of the Explosive Substance Act.

In the FIR there is an allegation against 90-95 persons



of assaulting the prosecution party. The petitioner is one amongst them. He was on bail since 06.06.2006. The bail bond was cancelled on 15.06.2017 and he was declared an absconder.

Learned counsel for the petitioner submits that due to a communication gap it appears that the lapse has occurred. The petitioner has thereafter been arrested on 20.09.2020 and charges have also been framed on 10.11.2020.

It is a case of 1996 and there is sufficient explanation from the petitioner's side that lapse is not willful and deliberate. The petitioner undertakes to appear before the Court on every date.

In view of such submissions, 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 Additional Sessions Judge-I, Muzaffarpur in Mushahari P.S. Case No. 99 of 1996, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit 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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