

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4171 of 2022

Arising Out of PS. Case No.-360 Year-2021 Thana- GARDANIBAG District- Patna

RAJ KUMAR Son of Ramishwar Ray Resident of behind Yarpur Bridge
Khagaul Road, P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 4335 of 2022

Arising Out of PS. Case No.-360 Year-2021 Thana- GARDANIBAG District- Patna

JITENDRA SAHNI Son of Late Krishna Sahni Resident at Yarpur, P.S.-
Gardanibad, District- Patna, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 4782 of 2022

Arising Out of PS. Case No.-360 Year-2021 Thana- GARDANIBAG District- Patna

SATTO SAHANI @ SATENDRA KUMAR S/o Krishna Sahani Resident of
Yarpur Mahadalit Tola, P.S.- Gardanibagh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 4171 of 2022)

For the Petitioner/s : Mr. Kumar Rajeev, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

(In CRIMINAL MISCELLANEOUS No. 4335 of 2022)

For the Petitioner/s : Mr. Niranjana Kumar, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

(In CRIMINAL MISCELLANEOUS No. 4782 of 2022)

For the Petitioner/s : Mr. Kumar Rajeev, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP



**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 23-05-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

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

This is an application for regular bail on behalf of the petitioners for the offences alleged under Sections 25(1-b) A, 26 and 35 of the Arms Act and Sections 30(a), 34 and 36 of the Bihar Prohibition and Excise Act, 2016, registered in connection with Gardanibagh P.S. Case No. 360 of 2021 (Special Case No. 5949 of 2021).

As per allegation, 513.87 litres of liquor and a Country made pistol were recovered from the house of petitioner and Jitendra Sahani.

The learned counsel for the petitioners has submitted that the petitioners are a person of clean antecedents. He has submitted further that petitioners have not been arrested from the spot. He has also submitted that Raj Kumar is in custody since 14.10.2021, Jitendra Sahni is in custody since 21.09.2021 and Satto Sahani @ Satendra Kumar is in custody since 25.10.2021.



Considering the above facts and circumstances and petitioners have clean antecedents as well as period of incarceration, let the petitioners above-named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna, in connection with Gardanibagh P.S. Case No. 360 of 2021 (Special Case No. 5949 of 2021), subject to the following conditions:-

1. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

2. If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioners within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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