

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34058 of 2021**

Arising Out of PS. Case No.-291 Year-2020 Thana- PIPRA District- East Champaran

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BHUSHAN SAHNI @ BHARAT BHUSHAN KUMAR Son of Shankar  
Sahni R/o Madhu Chapra, P.S.- Pipra Kothi, District - East Champaran,  
Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Perna Rishi, Adv.

For the Opposite Party/s : Mr. A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      09-06-2022                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case  
registered for the offence under Sections 25(1-B)(a), 26 and  
35 of the Arms Act, 1959.

The case relates to recovery of one loaded country  
made pistol along with one live cartridge and also the  
motorcycle bearing registration No. BR-05-AG-0637.

Learned counsel appearing for the petitioner  
submits that the petitioner, who is of clean antecedent, is  
innocent and has falsely been implicated in this case. He  
further submits that it is apparent from the F.I.R. and seizure  
list that the alleged recovery has been made from the co-



accused, Subhash Kumar Sahni who disclosed the name of this petitioner only on the ground that the petitioner happens to be the owner of the motorcycle. He further submits that as a matter of fact, it is the co-accused who borrowed the motorcycle of the petitioner on false pretext but the petitioner has not played any role nor he has got any concern with the alleged recovery. No offence attracting sections of Arms Act is made out against the petitioner. Hence, the petitioner may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Pipra P.S. Case No. 291 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-



(1) Petitioner shall co-operate in the investigation and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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