

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27688 of 2022

Arising Out of PS. Case No.-14 Year-2020 Thana- ANGARH District- Purnia

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SOHAIL @ SOHIL @ SOHAIL ALAM SON OF MOHSIN @MOHSIM
R/O- VILL-KATAMATHA, P.S.- KOCHADHAMAN DISTRICT-
KISHANGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Angarh P.S. Case No. 14 of 2020 for the offences under
Section 414 of the Indian Penal Code and Section 25(1-b)a, 26
and 35 of the Arms Act.

As per the allegation in the FIR, the police upon
information about the petitioner reached the Primary School,
Pirgachhi where two persons on a motorcycle tried to escape
but they were chased and apprehended. Upon search, it is
alleged that amongst other from the petitioner herein, one



countrymade loaded pistol with two live cartridges were recovered/seized. Accordingly, the seizure list prepared and the petitioner was taken into custody.

Learned counsel for the petitioner submit that only because he has criminal antecedent, he has been implicated in this case by the police and has suffered by being in custody since 08.09.2020 (as stated in paragraph-12 of the bail application). He lastly submits that one of the co-accused, namely, Shibu Lal has since been granted bail by a co-ordinate Bench of this Court vide order dated 09.07.2021 passed in Cr. Misc. No. 13050 of 2021.

Let the same be kept on record.

Considering the fact that the petitioner is in custody since 08.09.2020, charge sheet stands submitted and one of the co-accused has since been enlarged on bail, this Court is inclined to grant him the privilege of bail with strict conditions in view of the fact that he has more than dozen criminal cases under his belt.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Purnea in connection with Angarh P.S.



Case No. 14 of 2020, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every month till the conclusion of the trial to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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