

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41171 of 2021**

Arising Out of PS. Case No.-79 Year-2021 Thana- PATEPUR District- Vaishali

RAMESH SAHANI S/o SRi Phulbabu Sahani @ Phulo Sahani R/o village-
Khesrahi, P.S.- Patepur, District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Satya Prakash Sinha, Advocate

For the Opposite Party : Ms. Suman Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 05-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of
Patepur P.S. Case No. 79 of 2021, registered for the offence
punishable under Section 399 of the Indian Penal Code and
Sections 25(1-b)a, 26 and 35 of the Arms Act.

The petitioner is in custody since 04.04.2021. It is
alleged in the First Information Report that on the basis of
certain information to the effect that some criminals were
planning to commit an offence, a raid was conducted, in course
of which three persons were apprehended with two motorcycles,
whereas some of them allegedly managed to flee away. The
petitioner was among those, who were apprehended. Allegedly,



from the petitioner's possession, one country made loaded pistol was recovered.

Learned counsel appearing on behalf of the petitioner has submitted that it is evident from the First Information Report that there is no allegation against the petitioner of use of firearm. He has further submitted that as a matter of fact, the petitioner was apprehended by the police from his house on suspicion and has been made accused in the present case.

Considering the fact that the petitioner is in custody since 04.04.2021 and the nature of accusation against him, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur, in Patepur P.S. Case No. 79 of 2021.

(Chakradhari Sharan Singh, J)

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