

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35755 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- NAGAR District- Vaishali

GANDHI SAHNI SON OF LATE LAL BAHADUR SAHNI R/O- VILL-
TALGHARA P.S.- SARAI, DIST.- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-09-2022

On call, none appears for the petitioner.

Heard learned APP for the State through video conferencing in view of the COVID 19.

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

The petitioner is an accused in connection with Hajipur Town P.S. Case No. 29 of 2022 under Sections 399 and 402 of the Indian Penal Code.

As per the prosecution story, the informant received secret information about assembly of some accused persons near Gandak bridge and accordingly, they went to the said place and apprehended three accused persons, the petitioner being one of them. The further allegation is that upon search, country-made loaded pistol was recovered from the waist of Gandhi



Sahni (the petitioner herein). It is further alleged by the informant that they were planning to loot four wheeler vehicles crossing through the Gandak bridge. Accordingly, seizure list was prepared and the FIR has been lodged.

As per the averments made in the FIR, the petitioner is in custody since 11.01.2022.

Taking into account the aforesaid fact that the petitioner is in custody since 11.01.2022 and charge sheet stands submitted, this Court is inclined to grant him privilege of bail with condition in view of the fact that he has criminal antecedent.

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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 29 of 2022, 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 fortnight for next six months 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)

Jagdish/Neha -

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