

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46345 of 2021

Arising Out of PS. Case No.-477 Year-2020 Thana- PARBATTa District- Khagaria

ANIL SAO @ ANIL SAH S/o Upendra Sao @ Upendra Sah @ Opi Sao R/o
Village - Khiradih, P.S. - Parbatta, Dist. - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar-2, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 19-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 29.12.2020,
seeks regular bail in connection with Parbatta P.S. Case No. 477
of 2020 for the offence punishable under Section 25(1-b)a,
26(1) of the Arms Act.

The prosecution case, in brief, is that hundred pieces
of .315 bore live cartridges were recovered from the possession
of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is suffering from AIDS and his
treatment is going on at a Government Hospital. He further



submits that the petitioner is counting his life and there is no chance of tampering with the evidence or influencing the witness. The petitioner is in custody since 29.12.2020.

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

Considering the aforementioned facts and circumstances of the case and the fact that there is no allegation of tampering of evidence or influencing the witnesses, the petitioner is directed to be released on bail on furnishing bail bond of Rs.25000/- (Rs. Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Parbatta P.S. Case No. 477 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature



of offence, after his release on bail, the trial Court shall take
steps to cancel his bail bonds.

(Purnendu Singh, J)

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