

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62057 of 2021

Arising Out of PS. Case No.-463 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Sohan Sahani Son of Ganesh Sahani Resident of Village - Ismailpur, P.S.-
Sadar Hajipur, District - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Subhash Kumar, Advocate

For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-04-2022 Heard counsel for the parties in Virtual Court
Proceeding.

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

The petitioner is in custody in connection with
Hajipur Sadar P.S. Case No. 463 of 2021 under section 25(1-
b)a/26 of the Arms Act.

The allegation against the petitioner is that upon
confidential information, the police patrolling party reached at
Harauli Chowk and saw a person in suspicious condition who
was trying to flee away and upon search one loaded country
made pistol with live cartridge was recovered.

In this way, this petitioner came into the judicial
custody and the aforesaid FIR was lodged.



The counsel for the petitioner submits that he has not committed any offence and he is in jail since 10.5.201(as stated in para-9 of the bail application). He further submits that he does not have any criminal antecedent (as stated in para-3 of the bail application).

Taking into account the aforesaid facts, this Court is inclined to grant bail.

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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 463 of 2021 subject to the following conditions:-

(i) the learned Trial Court shall check the criminal antecedent of the petitioner and if it is found that he has suppressed the fact and do have criminal antecedent, this bail order shall become infructuous;

(ii) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(iii) 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;

(iv) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall take steps for cancellation of his bail bonds.

With the aforesaid observation, the bail application is allowed.

(Rajiv Roy, J)

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