

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41053 of 2023

Arising Out of PS. Case No.-99 Year-2023 Thana- TEGHRHA District- Begusarai

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GANESH SAHANI SON OF LATE SHRI SAHANI RESIDENT OF
VILLAGE CHILHAY WARD NO 01 PS TEGHRA DISTRICT BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate

For the Opposite Party/s : Mr. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and

learned APP for the State

The petitioner is in custody since 21.03.2023 in connection with Teghra P.S. Case No. 99 of 2023 for the offence punishable under Sections 25 (1-b) a/ 26/27 of the Arms Act lodged on 20.03.2023 by the informant Vinay Kumar Singh.

As per the prosecution story, the police on information apprehended this petitioner and a country made pistol and live cartridges were recovered/seized. As he failed to give satisfactory answer, was arrested. Accordingly, the F.I.R.

The contention of the learned counsel for the petitioner is that due to village enmity, he has been implicated in this case and further he is suffering from various medical ailments and is ready to abide by all the terms and



conditions, if enlarged on bail. The last submission is that he is in custody since 21.03.2023 (as stated in para 10 in the bail application).

Learned APP opposes the prayer stating that there is recovery of country made pistol and live cartridges.

Taking into account the fact that he has medical ailments, is in custody since 21.03.2023, the F.I.R having been lodged and ultimately will have to face the trial, this Court is inclined to extend him the privilege of bail with conditions.

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 in the court of learned C.J.M, Begusarai, in connection with Teghra P.S. Case No. 99 of 2023 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 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 reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) 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/Jyoti/-

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