

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55839 of 2023

Arising Out of PS. Case No.-124 Year-2023 Thana- PATNA GRP CASE District- Patna

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SANJAY SAH @ BHONDUA @ BAILWA S/O LATE SRI NATH SAH R/O
KURMI TOLA, MAHRAJGANJ, P.S- ALAMGANJ, DISTT.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Priyanka Sinha, Advocate

Mr.Nityanand Kumar, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with G.R.P. Patna (Guljarbagh) P.S. Case No. 124/2023 registered under Sections 399, 402 and 414 of the Indian Penal Code and Section 25 (1-b)a, 26 and 35 of the Arms Act lodged on 02.03.2023 by the informant, Manjulata Singh.

As per the prosecution story, the police apprehended amongst other this accused/petitioner and recovered/seized revolver and cartridge. Accordingly, the FIR.

It is the case of the petitioner that the police keeps on implicating him in one after another case which reflects from paragraph-3 of the petition and he has already suffered by being



in custody 03/03/2023 (as stated in paragraph-8 of the petition).

Learned APP for the State opposes the prayer for bail stating that he has criminal antecedent.

Taking into account the submissions put forward by the learned counsel for the petitioner as also the fact that he is in custody since 03/03/2023, this Court is inclined to grant him privilege of bail after framing of charge in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Patna in connection with G.R.P. Patna (Gulzarbagh) P.S. Case No. 124 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/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 reason will entail cancellation of his/her 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 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 his 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 the bail bonds.

(Rajiv Roy, J)

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