

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6320 of 2024

Arising Out of PS. Case No.-368 Year-2023 Thana- KHAIRA District- Saran

Sailen Sah @ Sailendra Sah @ Shailen Sah @ Shailender Sah @ Sahilender
Sah Son Of Late Hari Sah Resident Of Village - Khaira, Police Station -
Khaira, District - Chapra, Saran

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Yadav, Advocate

For the Opposite Party/s : Ms.Gulnar Begum, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 08-05-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Khaira
P.S. case No. 368 of 2023 instituted for the offences under
Sections 25(1-b)a, 26 of the Arms Act.

3. As per the F.I.R., one country-made pistol, eight live
cartridges and one dagger has been recovered from this
petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner has got no concern with the recovered arms and



ammunitions. Learned counsel further submitted that charge-sheet has been submitted in this case and charge has also been framed against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.10.2023 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that several witnesses in paragraphs-5, 19 and 20 have supported the prosecution version.

6. Considering the aforesaid facts and circumstances of the case, nature of offence, clean antecedent of the petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khaira P.S. case No. 368 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

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

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

