

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8509 of 2024

Arising Out of PS. Case No.-252 Year-2023 Thana- BENIPATTI District- Madhubani

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SOHAN SAH @ SOHAN KUMAR SAH SON OF VIJAY SAH @ VIJAY
BIHARI R/O-PARSAUNI, P.S.-BENIPATTI, DISTT.-MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Benipatti P.S. Case No.252/2023 dated 02.11.2023,
registered for the offence punishable under Sections 25(1-b)a,
26 and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of five cases but then he has been
implicated in a case of SC/ST in two cases and two cases are
under Excise Act. It is next submitted that petitioner has never
been implicated in a case related to Arms Act. It is also
submitted that from perusal of the allegation as alleged in the
F.I.R., it would manifest that petitioner was not apprehended
from the spot rather his name was disclosed by the apprehended



accused Varun Ray in police custody, which does not have any evidentiary value. The learned counsel submits that petitioner will not abscond rather will co-operate in the investigation to establish his innocence.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Benipatti, Madhubani, in connection with Benipatti P.S. Case No.252/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bond of the petitioner and to take all



coercive steps to ensure that petitioner is behind bar.

(Satyavrat Verma, J)

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