

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33068 of 2024

Arising Out of PS. Case No.-261 Year-2023 Thana- BHAGWANPUR District- Vaishali

Arvind Sahani S/o Shivji Sahni R/o vill - Sahtha, P.S. - Bhagwanpur, Distt. -
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Prasad Sinha, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

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

ORAL ORDER

2 29-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bhagwanpur P.S. case
No. 261 of 2023 instituted for the offences under Sections 414,
399, 402 of the Indian Penal Code and Sections (1-b)a, 26 and
35 of the Arms Act.

3. Prosecution allegation, in short, is that there is
recovery of one country made pistol and one live cartridge from
the possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case due to high handedness of police officials. No
incriminating material has been recovered from the conscious



possession of the petitioner. The petitioner has no concern with the alleged recovery. Charge-sheet has been submitted in this case. The petitioner is in custody since 08.11.2023 and has five criminal antecedents. There is no compliance of Section 100 of the Cr.P.C. Co-accused has been granted bail by this Bench vide order dated 03.04.2024 passed in Cr. Misc. No. 24447 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the claim based on parity, 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 Bhagwanpur P.S. case No. 261 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.

(Rudra Prakash Mishra, J)

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