

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60151 of 2024

Arising Out of PS. Case No.-188 Year-2016 Thana- BHAGWANPUR District- Begusarai

Vikash Sahni @ Vikash S/O Ram Bilash Sahni Resident of Village- Naula,
P.S- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Namita Sharma, Advocate Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s	:	Mr. Yogendra Kumar, APP

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

ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 188 of 2016 instituted for the
offence under Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. Prosecution case in short is that there is recovery of
one country made pistol from possession of the co-accused,
namely, Bidyanand Sahani.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 03-05-2024. Petitioner
bears nine criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Nothing has been recovered from the possession of the petitioner. Petitioner has no concern with the recovered arms. Recovery is made from co-accused, namely, Bidyanand Sahani, who has been enlarged on bail *vide* order dated 16-01-2017 passed in Cr. Misc. No. 1318 of 2017 by a Co-ordinate Bench of this Court. It is lastly submitted that charge sheet has been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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. 188 of 2016, 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)

Raj Kishore/-

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