

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82854 of 2024

Arising Out of PS. Case No.-267 Year-2024 Thana- BELDOUR District- Khagaria

Gautam Sahni Son of Ranjit Sahni Resident of village- Chhataunabasa, PS -
Ratwaram, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-12-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Beldaur P.S. Case No. 267 of 2024 for the offence punishable under Sections 25(1-B) A, 26,35 of the Arms Act lodged on 26.07.2024 by the informant, Pawan Kumar.

3. As per the prosecution story, the Police upon secret information and during patrolling, intercepted a motorcycle. While the petitioner was driving the motorcycle, Satti Yadav was pillion rider and upon search from his pocket, there is recovery/seizure of country made revolver as also several materials relating to arms manufacturing besides the live cartridges. So far as the petitioner is concerned, there is recovery of a mobile from him. This led to the FIR.

4. It is the case of the petitioner that though he was



riding the motorcycle, had no connection with Satti Yadav whom he gave lift on way little realizing that the bag, he is carrying contains of arms. He do not have criminal antecedent and is in custody since 27.07.2024.

5. Learned APP opposes the prayer submitting that he was also on the motorcycle.

6. Taking into account the aforesaid submission put forward by the parties as also the fact that nothing has been recovered from his conscious possession, he do not have criminal antecedent and is in custody since 27.07.2024, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st cum A.M., Khagaria, in connection with Beldaur P.S. Case No. 267 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his 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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his 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 the 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 his bail bonds.

(Rajiv Roy, J)

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