

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15818 of 2021**

Arising Out of PS. Case No.-147 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

BAIJU KUMAR @ BAIJU SAHNI Son of Lalbabu Sahni, Resident of
Village - Jhapahan Dih, P.S.- Ahiyapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

4 05-10-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 414 and 34 of the Indian Penal Code and sections 20 and 22 of the NDPS Act.

As per the prosecution case, it is stated that while one accused was caught and two others escaped, a total of 1 kg. of ganja was recovered. It is further stated that on inquiry the accused who was caught disclosed that two other accused persons including the petitioner herein are involved in the business with them.

It is submitted by learned counsel for the petitioner that neither the petitioner was caught at the place of occurrence nor any incriminating article has been recovered from his possession. There is no material against him except the



statement of a co-accused made before the police. The petitioner is in custody since 1.5.2020. The cause of false implication of the petitioner is his criminal antecedents. Chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for 1 year 5 months, the petitioner is directed to be enlarged on bail in connection with Ahiyapur P.S. Case no. 147 of 2020 (N.D.P.S. Case no. 8 of 2020) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge VIII, Muzaffarpur.

(Partha Sarthy, J)

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